

# ASSEMBLY, No. 2758

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED FEBRUARY 25, 2014

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Requires issue advocacy organization disclosure; increases disclosure of campaign finance information; raises amount of money contributable to committees; modifies restrictions on contributions by certain business entities performing public contracts.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the making and reporting of campaign  
2 contributions and expenditures and the reporting of certain  
3 government contracts, and amending, supplementing, and  
4 repealing various parts of the statutory law.

5  
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

8  
9 1. Section 3 of P.L.1973, c.83 (C.19:44A-3) is amended to read  
10 as follows:

11 3. As used in this act, unless a different meaning clearly  
12 appears from the context:

13 a. (Deleted by amendment, P.L.1993, c.65.)

14 b. (Deleted by amendment, P.L.1993, c.65.)

15 c. The term "candidate" means: (1) an individual seeking  
16 election to a public office of the State or of a county, municipality  
17 or school district at an election; except that the term shall not  
18 include an individual seeking party office; (2) an individual who  
19 shall have been elected or failed of election to an office, other than  
20 a party office, for which he sought election and who receives  
21 contributions and makes expenditures for any of the purposes  
22 authorized by section 17 of P.L.1993, c.65 (C.19:44A-11.2) during  
23 the period of his service in that office; and (3) an individual who  
24 has received funds or other benefits or has made payments solely  
25 for the purpose of determining whether the individual should  
26 become a candidate as defined in paragraphs (1) and (2) of this  
27 subsection.

28 d. The terms "contributions" and "expenditures" include all  
29 loans and transfers of money or other thing of value to or by any  
30 candidate, candidate committee, joint candidates committee,  
31 political committee, continuing political committee, political party  
32 committee or legislative leadership committee and all pledges or  
33 other commitments or assumptions of liability to make any such  
34 transfer; and for purposes of reports required under the provisions  
35 of this act shall be deemed to have been made upon the date when  
36 such commitment is made or liability assumed.

37 e. The term "election" means any election described in section  
38 4 of this act.

39 f. The term "paid personal services" means personal, clerical,  
40 administrative or professional services of every kind and nature  
41 including, without limitation, public relations, research, legal,  
42 canvassing, telephone, speech writing or other such services,  
43 performed other than on a voluntary basis, the salary, cost or  
44 consideration for which is paid, borne or provided by someone  
45 other than the committee, candidate or organization for whom such

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 services are rendered. In determining the value, for the purpose of  
2 reports required under this act, of contributions made in the form of  
3 paid personal services, the person contributing such services shall  
4 furnish to the treasurer through whom such contribution is made a  
5 statement setting forth the actual amount of compensation paid by  
6 said contributor to the individuals actually performing said services  
7 for the performance thereof. But if any individual or individuals  
8 actually performing such services also performed for the contributor  
9 other services during the same period, and the manner of payment  
10 was such that payment for the services contributed cannot readily  
11 be segregated from contemporary payment for the other services,  
12 the contributor shall in his statement to the treasurer so state and  
13 shall either (1) set forth his best estimate of the dollar amount of  
14 payment to each such individual which is attributable to the  
15 contribution of his paid personal services, and shall certify the  
16 substantial accuracy of the same, or (2) if unable to determine such  
17 amount with sufficient accuracy, set forth the total compensation  
18 paid by him to each such individual for the period of time during  
19 which the services contributed by him were performed. If any  
20 candidate is a holder of public office to whom there is attached or  
21 assigned, by virtue of said office, any aide or aides whose services  
22 are of a personal or confidential nature in assisting him to carry out  
23 the duties of said office, and whose salary or other compensation is  
24 paid in whole or part out of public funds, the services of such aide  
25 or aides which are paid for out of public funds shall be for public  
26 purposes only; but they may contribute their personal services, on a  
27 voluntary basis, to such candidate for election campaign purposes.

28 g. (Deleted by amendment, P.L.1983, c.579.)

29 h. The term "political information" means any statement  
30 including, but not limited to, press releases, pamphlets, newsletters,  
31 advertisements, flyers, form letters, or radio or television programs  
32 or advertisements which reflects the opinion of the members of the  
33 organization on any candidate or candidates for public office, on  
34 any public question, or which contains facts on any such candidate,  
35 or public question whether or not such facts are within the personal  
36 knowledge of members of the organization.

37 i. The term "political committee" means any two or more  
38 persons acting jointly, or any corporation, partnership, or any other  
39 incorporated or unincorporated association which is organized to, or  
40 does, aid or promote the nomination, election or defeat of any  
41 candidate or candidates for public office, or which is organized to,  
42 or does, aid or promote the passage or defeat of a public question in  
43 any election, if the persons, corporation, partnership or incorporated  
44 or unincorporated association raises or expends **【\$1,000.00】** \$3,000  
45 or more to so aid or promote the nomination, election or defeat of a  
46 candidate or candidates or the passage or defeat of a public  
47 question; provided that for the purposes of this act, the term  
48 "political committee" shall not include a "continuing political

1 committee," as defined by subsection n. of this section, a "political  
2 party committee," as defined by subsection p. of this section, a  
3 "candidate committee," as defined by subsection q. of this section, a  
4 "joint candidates committee," as defined by subsection r. of this  
5 section or a "legislative leadership committee," as defined by  
6 subsection s. of this section.

7 j. The term "public solicitation" means any activity by or on  
8 behalf of any candidate, political committee, continuing political  
9 committee, candidate committee, joint candidates committee,  
10 legislative leadership committee or political party committee  
11 whereby either (1) members of the general public are personally  
12 solicited for cash contributions not exceeding \$20.00 from each  
13 person so solicited and contributed on the spot by the person so  
14 solicited to a person soliciting or through a receptacle provided for  
15 the purpose of depositing contributions, or (2) members of the  
16 general public are personally solicited for the purchase of items  
17 having some tangible value as merchandise, at a price not exceeding  
18 \$20.00 per item, which price is paid on the spot in cash by the  
19 person so solicited to the person so soliciting, when the net  
20 proceeds of such solicitation are to be used by or on behalf of such  
21 candidate, political committee, continuing political committee,  
22 candidate committee, joint candidates committee, legislative  
23 leadership committee or political party committee.

24 k. The term "testimonial affair" means an affair of any kind or  
25 nature including, without limitation, cocktail parties, breakfasts,  
26 luncheons, dinners, dances, picnics or similar affairs directly or  
27 indirectly intended to raise campaign funds in behalf of a person  
28 who holds, or who is or was a candidate for nomination or election  
29 to a public office in this State, or directly or indirectly intended to  
30 raise funds in behalf of any political party committee or in behalf of  
31 a political committee, continuing political committee, candidate  
32 committee, joint candidates committee or legislative leadership  
33 committee.

34 l. The term "other thing of value" means any item of real or  
35 personal property, tangible or intangible, but shall not be deemed to  
36 include personal services other than paid personal services.

37 m. The term "qualified candidate" means:

38 (1) Joint candidates for election to the offices of Governor and  
39 Lieutenant Governor whose names appear on the general election  
40 ballot; who have deposited and expended \$150,000.00 pursuant to  
41 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than  
42 September 1 preceding a general election in which the offices of  
43 Governor and Lieutenant Governor are to be filled, (a) notify the  
44 Election Law Enforcement Commission in writing that the  
45 candidates intend that application will be made on the candidates'  
46 behalf for monies for general election campaign expenses under  
47 subsection b. of section 8 of P.L.1974, c.26 (C.19:44A-33), and (b)  
48 sign a statement of agreement, in a form to be prescribed by the

1 commission, to participate in interactive gubernatorial election  
2 debates under the provisions of sections 9 through 11 of P.L.1989,  
3 c.4 (C.19:44A-45 through C.19:44A-47); or

4 (2) Joint candidates for election to the offices of Governor and  
5 Lieutenant Governor whose names do not appear on the general  
6 election ballot; who have deposited and expended \$150,000.00  
7 pursuant to section 7 of P.L.1974, c.26 (C.19:44A-32); and who,  
8 not later than September 1 preceding a general election in which the  
9 offices of Governor and Lieutenant Governor are to be filled, (a)  
10 notify the Election Law Enforcement Commission in writing that  
11 the candidates intend that application will be made on the  
12 candidates' behalf for monies for general election campaign  
13 expenses under subsection b. of section 8 of P.L.1974, c.26  
14 (C.19:44A-33), and (b) sign a statement of agreement, in a form to  
15 be prescribed by the commission, to participate in interactive  
16 gubernatorial election debates under the provisions of sections 9  
17 through 11 of P.L.1989, c.4 (C.19:44A-45 through C.19:44A-47);  
18 or

19 (3) Any candidate for nomination for election to the office of  
20 Governor whose name appears on the primary election ballot; who  
21 has deposited and expended \$150,000.00 pursuant to section 7 of  
22 P.L.1974, c.26 (C.19:44A-32); and who, not later than the last day  
23 for filing petitions to nominate candidates to be voted upon in a  
24 primary election for a general election in which the office of  
25 Governor is to be filled, (a) notifies the Election Law Enforcement  
26 Commission in writing that the candidate intends that application  
27 will be made on the candidate's behalf for monies for primary  
28 election campaign expenses under subsection a. of section 8 of  
29 P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of  
30 agreement, in a form to be prescribed by the commission, to  
31 participate in two interactive gubernatorial primary debates under  
32 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-  
33 45 through C.19:44A-47); or

34 (4) Any candidate for nomination for election to the office of  
35 Governor whose name does not appear on the primary election  
36 ballot; who has deposited and expended \$150,000.00 pursuant to  
37 section 7 of P.L.1974, c.26 (C.19:44A-32); and who, not later than  
38 the last day for filing petitions to nominate candidates to be voted  
39 upon in a primary election for a general election in which the office  
40 of Governor is to be filled, (a) notifies the Election Law  
41 Enforcement Commission in writing that the candidate intends that  
42 application will be made on the candidate's behalf for monies for  
43 primary election campaign expenses under subsection a. of section  
44 8 of P.L.1974, c.26 (C.19:44A-33), and (b) signs a statement of  
45 agreement, in a form to be prescribed by the commission, to  
46 participate in two interactive gubernatorial primary debates under  
47 the provisions of sections 9 through 11 of P.L.1989, c.4 (C.19:44A-  
48 45 through C.19:44A-47).

1       n. The term "continuing political committee" means any group  
2 of two or more persons acting jointly, or any corporation,  
3 partnership, or any other incorporated or unincorporated  
4 association, including a political club, political action committee,  
5 civic association or other organization, which in any calendar year  
6 contributes or expects to contribute at least ~~[\$2,500.00]~~ \$3,000 to  
7 the aid or promotion of the candidacy of an individual, or of the  
8 candidacies of individuals, for elective public office, or the passage  
9 or defeat of a public question or public questions, and which may be  
10 expected to make contributions toward such aid or promotion or  
11 passage or defeat during a subsequent election, provided that the  
12 group, corporation, partnership, association or other organization  
13 has been determined to be a continuing political committee under  
14 subsection b. of section 8 of P.L.1973, c.83 (C.19:44A-8); provided  
15 that for the purposes of this act, the term "continuing political  
16 committee" shall not include a "political party committee," as  
17 defined by subsection p. of this section, or a "legislative leadership  
18 committee," as defined by subsection s. of this section.

19       o. The term "statement of agreement" means a written  
20 declaration, by a candidate for nomination for election to the office  
21 of Governor, or by joint candidates for election to the offices of  
22 Governor and Lieutenant Governor who intend that application will  
23 be made on behalf of the candidate for the office of Governor to  
24 receive monies for the primary election or on behalf of the  
25 candidates for the office of Governor and the office of Lieutenant  
26 Governor for general election campaign expenses under subsection  
27 a. or subsection b., respectively, of section 8 of P.L.1974, c.26  
28 (C.19:44A-33), that the candidates undertake to abide by the terms  
29 of any rules established by any private organization sponsoring a  
30 gubernatorial primary or general election debate, as appropriate, to  
31 be held under the provisions of sections 9 through 11 of P.L.1989,  
32 c.4 (C.19:44A-45 through C.19:44A-47) and in which the  
33 candidates are to participate. The statement of agreement shall  
34 include an acknowledgment of notice to the candidates who sign it  
35 that failure on the candidates' part to participate in any of the  
36 gubernatorial debates may be cause for the termination of the  
37 payment of such monies on the candidates' behalf and for the  
38 imposition of liability for the return to the commission of such  
39 monies as may previously have been so paid.

40       p. The term "political party committee" means the State  
41 committee of a political party, as organized pursuant to R.S.19:5-4,  
42 any county committee of a political party, as organized pursuant to  
43 R.S.19:5-3, or any municipal committee of a political party, as  
44 organized pursuant to R.S.19:5-2.

45       q. The term "candidate committee" means a committee  
46 established pursuant to subsection a. of section 9 of P.L.1973, c.83  
47 (C.19:44A-9) for the purpose of receiving contributions and making  
48 expenditures.

1       r. The term "joint candidates committee" means a committee  
2 established pursuant to subsection a. of section 9 of P.L.1973, c.83  
3 (C.19:44A-9) by at least two candidates for the same elective public  
4 offices in the same election in a legislative district, county,  
5 municipality or school district, but not more candidates than the  
6 total number of the same elective public offices to be filled in that  
7 election, for the purpose of receiving contributions and making  
8 expenditures. For the purpose of this subsection: the offices of  
9 member of the Senate and members of the General Assembly shall  
10 be deemed to be the same elective public offices in a legislative  
11 district; the offices of member of the board of chosen freeholders  
12 and county executive shall be deemed to be the same elective public  
13 offices in a county; and the offices of mayor and member of the  
14 municipal governing body shall be deemed to be the same elective  
15 public offices in a municipality.

16       s. The term "legislative leadership committee" means a  
17 committee established, authorized to be established, or designated  
18 by the President of the Senate, the Minority Leader of the Senate,  
19 the Speaker of the General Assembly or the Minority Leader of the  
20 General Assembly pursuant to section 16 of P.L.1993, c.65  
21 (C.19:44A-10.1) for the purpose of receiving contributions and  
22 making expenditures.

23       t. The term "issue advocacy organization" means an  
24 organization organized under section 527 of the federal Internal  
25 Revenue Code (26 U.S.C. s.527) or under paragraph (4) of  
26 subsection c. of section 501 of the federal Internal Revenue Code  
27 (26 U.S.C. s.501), that does not fall within the definition of any  
28 other committee subject to the provisions of P.L.1973, c.83  
29 (C.19:44A-1 et seq.), that engages in influencing or attempting to  
30 influence the outcome of any election or the selection, nomination,  
31 or election of any person to any State or local elective public office,  
32 or the passage or defeat of any public question, or in providing  
33 political information on any candidate or public question, and raises  
34 or expends \$3,000 or more in the aggregate for any such purpose,  
35 but does not coordinate its activities with any candidate or political  
36 party.

37 (cf: P.L.2009, c.66, s.5)

38

39       2. Section 6 of P.L.1973, c.83 (C.19:44A-6) is amended to read  
40 as follows:

41       6. a. The commission shall appoint a full-time executive  
42 director, legal counsel and hearing officers, all of whom shall serve  
43 at the pleasure of the commission and shall not have tenure by  
44 reason of the provisions of chapter 16 of Title 38 of the Revised  
45 Statutes. The commission shall also appoint such other employees  
46 as are necessary to carry out the purposes of this act, which  
47 employees shall be in the classified service of the civil service and

1 shall be appointed in accordance with and shall be subject to the  
2 provisions of Title 11, Civil Service.

3 b. It shall be the duty of the commission to enforce the  
4 provisions of this act, to conduct hearings with regard to possible  
5 violations and to impose penalties; and for the effectual carrying out  
6 of its enforcement responsibilities the commission shall have the  
7 authority to initiate a civil action in any court of competent  
8 jurisdiction for the purpose of enforcing compliance with the  
9 provisions of this act or enjoining violations thereof or recovering  
10 any penalty prescribed by this act. The commission shall  
11 promulgate such regulations and official forms and perform such  
12 duties as are necessary to implement the provisions of this act.  
13 Without limiting the generality of the foregoing, the commission is  
14 authorized and empowered to:

15 (1) Develop forms for the making of the required reports;

16 (2) Prepare and publish a manual for all candidates, political  
17 committees and continuing political committees, prescribing the  
18 requirements of the law, including uniform methods of bookkeeping  
19 and reporting and requirements as to the length of time that any  
20 person required to keep any records pursuant to the provisions of  
21 this act shall retain such records, or any class or category thereof, or  
22 any other documents, including canceled checks, deposit slips,  
23 invoices and other similar documents, necessary for the compilation  
24 of such records;

25 (3) Develop a filing, coding and cross-indexing system;

26 (4) Permit copying or photo-copying of any report required to  
27 be submitted pursuant to this act as requested by any person;

28 (5) Prepare and make available for public inspection summaries  
29 of all said reports grouped according to candidates, parties and  
30 issues, containing the total receipts and expenditures, and the date,  
31 name, address and amount contributed by each contributor;

32 (6) Prepare and publish, prior to May 1 of each year, an annual  
33 report to the Legislature;

34 (7) Ascertain whether candidates, committees, organizations or  
35 others have failed to file reports or have filed defective reports;  
36 extend, for good cause shown, the dates upon which reports are  
37 required to be filed; give notice to delinquents to correct or explain  
38 defects; and make available for public inspection a list of such  
39 delinquents;

40 (8) Ascertain the total expenditures for candidates and  
41 determine whether they have exceeded the limits set forth in this  
42 act; notify candidates, committees or others if they have exceeded  
43 or are about to exceed the limits imposed;

44 (9) Hold public hearings, investigate allegations of any  
45 violations of this act, and issue **【subpenas】** subpoenas for the  
46 production of documents and the attendance of witnesses;

47 (10) Forward to the Attorney General or to the appropriate  
48 county prosecutor information concerning any violations of this act



1 which may become the subject of criminal prosecution or which  
2 may warrant the institution of other legal proceedings by the  
3 Attorney General.

4 c. The commission shall take such steps as may be necessary or  
5 appropriate to furnish timely and adequate information, in  
6 appropriate printed summaries and in such other form as it may see  
7 fit, to every candidate or prospective candidate for public office  
8 who becomes or is likely to become subject to the provisions of this  
9 act, and to every treasurer and depository duly designated under the  
10 provisions of this act, informing them of their actual or prospective  
11 obligations and responsibilities under this act. Such steps shall  
12 include, but not be limited to, furnishing to every person on whose  
13 behalf petitions of nomination are filed for any public office a copy  
14 of such printed summary as aforesaid, which shall be furnished to  
15 such person by the commission through the public official charged  
16 with the responsibility of receiving and accepting such petitions of  
17 nomination, at the time when such petitions are filed. The  
18 commission shall also make available copies of such printed  
19 summary to any other person requesting the same. The commission  
20 shall also take such steps as it may deem necessary or effectual to  
21 disseminate among the general public such information as may  
22 serve to guide all persons who may become subject to the  
23 provisions of this act by reason of their participation in election  
24 campaigns or in the dissemination of political information, for the  
25 purpose of facilitating voluntary compliance with the provisions  
26 and purposes of this act. In the dissemination of such information,  
27 the commission shall to the greatest extent practicable enlist the  
28 cooperation of commercial purveyors, within and without the State,  
29 of materials and services commonly used for political campaign  
30 purposes.

31 d. If the nomination for or election to any public office or party  
32 position becomes void under the terms of subsection c. of section  
33 21 of this act, the withholding or revocation of his certificate of  
34 election, the omission of his name from the ballot or the vacation of  
35 the office into which he has been inducted as a result of such void  
36 election, as the case may be, shall be subject to the provisions of  
37 chapter 3, articles 2 and 3, of this Title (R.S.19:3-7 et seq.)

38 e. The commission shall be assigned suitable quarters for the  
39 performance of its duties hereunder.

40 f. The commission through its legal counsel is authorized to  
41 render advisory opinions as to whether a given set of facts and  
42 circumstances would constitute a violation of any of the provisions  
43 of this act, or whether a given set of facts and circumstances would  
44 render any person subject to any of the reporting requirements of  
45 this act.

46 Unless an extension of time is consented to by any person  
47 requesting an advisory opinion, the commission shall render its  
48 advisory opinion within 10 days of receipt of the request therefor.

1 Failure of the commission to reply to a request for an advisory  
2 opinion within the time so fixed or agreed to shall preclude it from  
3 instituting proceedings for imposition of a penalty upon any person  
4 for a violation of this act arising out of the particular facts and  
5 circumstances set forth in such request, except as such facts and  
6 circumstances may give rise to a violation when taken in  
7 conjunction with other facts and circumstances not set forth in such  
8 request.

9 g. The commission shall establish a training program for  
10 campaign treasurers and organizational treasurers and shall make  
11 the training program available through its Internet site within one  
12 year of the effective date of this act, P.L.2004, c.22.

13 h. The commission shall require that all forms and reports that  
14 are required to be filed by a candidate or a committee shall be filed  
15 through the Internet site of the commission beginning on the 180th  
16 day following the enactment date of P.L. , c. (pending before  
17 the Legislature as this bill).

18 (cf: P.L.2004, c.22, s.1)

19  
20 3. Section 8 of P.L.1973, c.83 (C.19:44A-8) is amended to read  
21 as follows:

22 8. a. (1) Each political committee shall make a full cumulative  
23 report, upon a form prescribed by the Election Law Enforcement  
24 Commission, of all contributions in the form of moneys, loans, paid  
25 personal services, or other things of value made to it and all  
26 expenditures made, incurred, or authorized by it in furtherance of  
27 the nomination, election or defeat of any candidate, or in aid of the  
28 passage or defeat of any public question, or to provide political  
29 information on any candidate or public question, during the period  
30 ending 48 hours preceding the date of the report and beginning on  
31 the date on which the first of those contributions was received or  
32 the first of those expenditures was made, whichever occurred first.  
33 The cumulative report, except as hereinafter provided, shall contain  
34 the name and mailing address of each person or group from whom  
35 moneys, loans, paid personal services or other things of value have  
36 been contributed since 48 hours preceding the date on which the  
37 previous such report was made and the amount contributed by each  
38 person or group, and where the contributor is an individual, the  
39 report shall indicate the occupation of the individual and the name  
40 and mailing address of the individual's employer. In the case of any  
41 loan reported pursuant to this subsection, the report shall contain  
42 the name and mailing address of each person who has cosigned such  
43 loan since 48 hours preceding the date on which the previous such  
44 report was made, and where an individual has cosigned such loans,  
45 the report shall indicate the occupation of the individual and the  
46 name and mailing address of the individual's employer. The  
47 cumulative report shall also contain the name and address of each  
48 person, firm or organization to whom expenditures have been paid

1 since 48 hours preceding the date on which the previous such report  
2 was made and the amount and purpose of each such expenditure.  
3 The cumulative report shall be filed with the Election Law  
4 Enforcement Commission on the dates designated in section 16  
5 hereof.

6 The campaign treasurer of the political committee reporting shall  
7 certify to the correctness of each report.

8 Each campaign treasurer of a political committee shall file  
9 written notice with the commission of a contribution in excess of  
10 **[\$500]** \$1,500 received during the period between the 13th day  
11 prior to the election and the date of the election, and of an  
12 expenditure of money or other thing of value in excess of **[\$500]**  
13 \$1,500 made, incurred or authorized by the political committee to  
14 support or defeat a candidate in an election, or to aid the passage or  
15 defeat of any public question, during the period between the 13th  
16 day prior to the election and the date of the election. The notice of  
17 a contribution shall be filed in writing or by telegram within 48  
18 hours of the receipt of the contribution and shall set forth the  
19 amount and date of the contribution, the name and mailing address  
20 of the contributor, and where the contributor is an individual, the  
21 individual's occupation and the name and mailing address of the  
22 individual's employer. The notice of an expenditure shall be filed  
23 in writing or by telegram within 48 hours of the making, incurring  
24 or authorization of the expenditure and shall set forth the name and  
25 mailing address of the person, firm or organization to whom or  
26 which the expenditure was paid and the amount and purpose of the  
27 expenditure.

28 (2) When a political committee or an individual seeking party  
29 office makes or authorizes an expenditure on behalf of a candidate,  
30 it shall provide immediate written notification to the candidate of  
31 the expenditure.

32 b. (1) A group of two or more persons acting jointly, or any  
33 corporation, partnership, or any other incorporated or  
34 unincorporated association including a political club, political  
35 action committee, civic association or other organization, which in  
36 any calendar year contributes or expects to contribute at least  
37 **[\$2,500.00]** \$3,000 to the aid or promotion of the candidacy of an  
38 individual, or of the candidacies of individuals, for elective public  
39 office or the passage or defeat of a public question or public  
40 questions and which expects to make contributions toward such aid  
41 or promotion, or toward such passage or defeat, during a subsequent  
42 election shall certify that fact to the commission, and the  
43 commission, upon receiving that certification and on the basis of  
44 any information as it may require of the group, corporation,  
45 partnership, association or other organization, shall determine  
46 whether the group, corporation, partnership, association or other  
47 organization is a continuing political committee for the purposes of  
48 this act. If the commission determines that the group, corporation,

1 partnership, association or other organization is a continuing  
2 political committee, it shall so notify that continuing political  
3 committee.

4 No person serving as the chairman of a political party committee  
5 or a legislative leadership committee shall be eligible to be  
6 appointed or to serve as the chairman of a continuing political  
7 committee.

8 (2) A continuing political committee shall file with the Election  
9 Law Enforcement Commission, not later than April 15, July 15,  
10 October 15 and January 15 of each calendar year, a cumulative  
11 quarterly report of all moneys, loans, paid personal services or other  
12 things of value contributed to it during the period ending on the  
13 15th day preceding that date and commencing on January 1 of that  
14 calendar year or, in the case of the cumulative quarterly report to be  
15 filed not later than January 15, of the previous calendar year, and all  
16 expenditures made, incurred, or authorized by it during the period,  
17 whether or not such expenditures were made, incurred or authorized  
18 in furtherance of the election or defeat of any candidate, or in aid of  
19 the passage or defeat of any public question or to provide  
20 information on any candidate or public question.

21 The cumulative quarterly report shall contain the name and  
22 mailing address of each person or group from whom moneys, loans,  
23 paid personal services or other things of value have been  
24 contributed and the amount contributed by each person or group,  
25 and where an individual has made such contributions, the report  
26 shall indicate the occupation of the individual and the name and  
27 mailing address of the individual's employer. In the case of any  
28 loan reported pursuant to this subsection, the report shall contain  
29 the name and address of each person who cosigns such loan, and  
30 where an individual has cosigned such loans, the report shall  
31 indicate the occupation of the individual and the name and mailing  
32 address of the individual's employer. The report shall also contain  
33 the name and address of each person, firm or organization to whom  
34 expenditures have been paid and the amount and purpose of each  
35 such expenditure. The treasurer of the continuing political  
36 committee reporting shall certify to the correctness of each  
37 cumulative quarterly report.

38 Each continuing political committee shall provide immediate  
39 written notification to each candidate of all expenditures made or  
40 authorized on behalf of the candidate.

41 If any continuing political committee submitting cumulative  
42 quarterly reports as provided under this subsection receives a  
43 contribution from a single source of more than **【\$500】** \$1,500 after  
44 the final day of a quarterly reporting period and on or before a  
45 primary, general, municipal, school or special election which occurs  
46 after that final day but prior to the final day of the next reporting  
47 period it shall, in writing or by telegram, report that contribution to  
48 the commission within 48 hours of the receipt thereof, including in

1 that report the amount and date of the contribution; the name and  
2 mailing address of the contributor; and where the contributor is an  
3 individual, the individual's occupation and the name and mailing  
4 address of the individual's employer. If any continuing political  
5 committee makes or authorizes an expenditure of money or other  
6 thing of value in excess of ~~【\$500】~~ \$1,500, or incurs any obligation  
7 therefor, to support or defeat a candidate in an election, or to aid the  
8 passage or defeat of any public question, after March 31 and on or  
9 before the day of the primary election, or after September 30 and on  
10 or before the day of the general election, it shall, in writing or by  
11 telegram, report that expenditure to the commission within 48 hours  
12 of the making, authorizing or incurring thereof.

13 A continuing political committee which ceases making  
14 contributions toward the aiding or promoting of the candidacy of an  
15 individual, or of the candidacies of individuals, for elective public  
16 office in this State or the passage or defeat of a public question or  
17 public questions in this State shall certify that fact in writing to the  
18 commission, and that certification shall be accompanied by a final  
19 accounting of any fund relating to such aiding or promoting  
20 including the final disposition of any balance in such fund at the  
21 time of dissolution. Until that certification has been filed, the  
22 committee shall continue to file the quarterly reports as provided  
23 under this subsection.

24 c. Each political party committee and each legislative  
25 leadership committee shall file with the Election Law Enforcement  
26 Commission, not later than April 15, July 15, October 15 and  
27 January 15 of each calendar year, a cumulative quarterly report of  
28 all moneys, loans, paid personal services or other things of value  
29 contributed to it during the period ending on the 15th day preceding  
30 that date and commencing on January 1 of that calendar year or, in  
31 the case of the cumulative quarterly report to be filed not later than  
32 January 15, of the previous calendar year, and all expenditures  
33 made, incurred, or authorized by it during the period, whether or not  
34 such expenditures were made, incurred or authorized in furtherance  
35 of the election or defeat of any candidate, or in aid of the passage or  
36 defeat of any public question or to provide information on any  
37 candidate or public question.

38 The cumulative quarterly report shall contain the name and  
39 mailing address of each person or group from whom moneys, loans,  
40 paid personal services or other things of value have been  
41 contributed and the amount contributed by each person or group,  
42 and where an individual has made such contributions, the report  
43 shall indicate the occupation of the individual and the name and  
44 mailing address of the individual's employer. In the case of any  
45 loan reported pursuant to this subsection, the report shall contain  
46 the name and address of each person who cosigns such loan, and  
47 where an individual has cosigned such loans, the report shall  
48 indicate the occupation of the individual and the name and mailing

1 address of the individual's employer. The report shall also contain  
2 the name and address of each person, firm or organization to whom  
3 expenditures have been paid and the amount and purpose of each  
4 such expenditure. The treasurer of the political party committee or  
5 legislative leadership committee reporting shall certify to the  
6 correctness of each cumulative quarterly report.

7 d. Each issue advocacy organization shall make a full  
8 cumulative report, upon a form prescribed by the Election Law  
9 Enforcement Commission, of all contributions in the form of  
10 moneys, loans, paid personal services, or other things of value made  
11 to it, and of all expenditures made, incurred, or authorized by it in  
12 influencing or attempting to influence the outcome of any election  
13 or the selection, nomination, or election of any person to State or  
14 local elective public office or the passage or defeat of any public  
15 question or providing political information on any candidate or  
16 public question, during the period ending 48 hours preceding the  
17 date of the report and beginning on the date on which the first of  
18 those contributions was received or the first of those expenditures  
19 was made, whichever occurred first. The cumulative report, except  
20 as hereinafter provided, shall contain the name and mailing address  
21 of each person or group from whom moneys, loans, paid personal  
22 services or other things of value have been contributed since 48  
23 hours preceding the date on which the previous such report was  
24 made and the amount contributed by each person or group, and  
25 where the contributor is an individual, the report shall indicate the  
26 occupation of the individual and the name and mailing address of  
27 the individual's employer. In the case of any loan reported pursuant  
28 to this subsection, the report shall contain the name and mailing  
29 address of each person who has cosigned such loan since 48 hours  
30 preceding the date on which the previous such report was made, and  
31 where an individual has cosigned such loans, the report shall  
32 indicate the occupation of the individual and the name and mailing  
33 address of the individual's employer. The cumulative report shall  
34 also contain the name and address of each person, firm or  
35 organization to whom expenditures have been paid since 48 hours  
36 preceding the date on which the previous such report was made and  
37 the amount and purpose of each such expenditure. The cumulative  
38 report shall be filed with the Election Law Enforcement  
39 Commission on the dates designated in section 16 of P.L.1973, c.83  
40 (C.19:44A-16).

41 The treasurer of the reporting issue advocacy organization shall  
42 certify to the correctness of each report and shall maintain all  
43 records of contributions and expenditures for a period of not less  
44 than four years.

45 **[If]** e. When a political party committee [or a], legislative  
46 leadership committee [submitting cumulative quarterly reports as  
47 provided under this subsection] , or issue advocacy organization  
48 receives a contribution from [a single source] one or more sources

1 of more than **[\$500** after the final day of a quarterly reporting  
2 period and on or before a primary, general, municipal, school or  
3 special election which occurs after that final day but prior to the  
4 final day of the next reporting period**]** \$3,000 in the aggregate it  
5 shall, **[in writing or by telegram]** using the Internet site of the  
6 commission, report that contribution or those contributions to the  
7 commission within 48 hours of the receipt thereof, including in that  
8 report the amount and date of **[the]** each contribution that, when  
9 combined, exceeds \$3,000; the name and mailing address of the  
10 contributor or contributors; and where **[the]** a contributor is an  
11 individual, the individual's occupation and the name and mailing  
12 address of the individual's employer. After this threshold has been  
13 reached by a political party committee, legislative leadership  
14 committee, or issue advocacy organization, an additional report  
15 shall be filed thereby each time subsequent contributions from one  
16 or more sources exceed \$3,000 in the aggregate. The report shall be  
17 filed within 48 hours of reaching the \$3,000 threshold using the  
18 Internet site of the commission and shall include the same  
19 information required when the report of the initial contribution of  
20 \$3,000 was filed with the commission. **[If]** When a political party  
21 committee **[or a],** legislative leadership committee **[submitting**  
22 cumulative quarterly reports as provided under this subsection] or  
23 issue advocacy organization makes or authorizes **[an expenditure]**  
24 one or more expenditures of money or other thing of value **[in**  
25 **excess of \$800]** that exceeds \$3,000 in the aggregate, or incurs any  
26 obligation therefor, to support or defeat a candidate in an election,  
27 or to aid the passage or defeat of any public question, **[after March**  
28 **31 and on or before the day of the primary election, or after**  
29 **September 30 and on or before the day of the general election,]** it  
30 shall, **[in writing or by telegram]** using the Internet site of the  
31 commission, report that expenditure or those expenditures to the  
32 commission within 48 hours of the making, authorizing or incurring  
33 thereof, and include in that report the amount and date of each  
34 expenditure or expenditures that, when combined, exceeds \$3,000.  
35 After this threshold has been reached by a political party  
36 committee, legislative leadership committee, or issue advocacy  
37 organization, an additional report shall be filed thereby each time  
38 subsequent expenditures exceed \$3,000 in the aggregate. The  
39 report shall be filed within 48 hours of reaching the \$3,000  
40 threshold using the Internet site of the commission and shall include  
41 the same information required when the report of the initial  
42 expenditure of \$3,000 was filed with the commission.

43 **[d.** In any report filed pursuant to the provisions of this section  
44 the organization or committee reporting may exclude from the  
45 report the name of and other information relating to any contributor  
46 whose contributions during the period covered by the report did not  
47 exceed \$300, provided, however, that (1) such exclusion is unlawful

1 if any person responsible for the preparation or filing of the report  
2 knew that it was made with respect to any person whose  
3 contributions relating to the same election or issue and made to the  
4 reporting organization or committee aggregate, in combination with  
5 the contribution in respect of which such exclusion is made, more  
6 than \$300 and (2) any person who knowingly prepares, assists in  
7 preparing, files or acquiesces in the filing of any report from which  
8 the identification of a contributor has been excluded contrary to the  
9 provisions of this section is subject to the provisions of section 21  
10 of this act, but (3) nothing in this proviso shall be construed as  
11 requiring any committee or organization reporting pursuant to this  
12 act to report the amounts, dates or other circumstantial data  
13 regarding contributions made to any other organization or political  
14 committee, political party committee or campaign organization of a  
15 candidate.】

16 f. Any report filed pursuant to the provisions of this section  
17 shall include an itemized accounting of all receipts and  
18 expenditures relative to any testimonial affairs held since the date  
19 of the most recent report filed, which accounting shall include the  
20 name and mailing address of each contributor **【in excess of \$300】**  
21 to such testimonial affair and the amount contributed by each; in the  
22 case of an individual contributor, the occupation of the individual  
23 and the name and mailing address of the individual's employer; the  
24 expenses incurred; and the disposition of the proceeds of such  
25 testimonial affair.

26 **【The \$300 limit established in this subsection shall remain as**  
27 **stated in this subsection without further adjustment by the**  
28 **commission in the manner prescribed by section 22 of P.L.1993,**  
29 **c.65 (C.19:44A-7.2).】**

30 (cf: P.L.2004, c.33, s.1)

31

32 4. Section 21 of P.L.1993, c.65 (C.19:44A-8.1) is amended to  
33 read as follows:

34 21. a. Each political committee, as defined in subsection i. of  
35 section 3 of P.L.1973, c.83 (C.19:44A-3), which aids or promotes  
36 the nomination for election or the election of a candidate or the  
37 passage or defeat of a public question, each issue advocacy  
38 organization, as defined in subsection t. of section 3 of P.L.1973,  
39 c.83 (C.19:44A-3), each continuing political committee as defined  
40 in subsection n. of section 3 of P.L.1973, c.83, and each legislative  
41 leadership committee as defined in subsection s. of section 3 of  
42 P.L.1973, c.83, shall submit to the commission a statement of  
43 registration which includes:

44 (1) the complete name or identifying title of the committee or  
45 organization and the general category of entity or entities, including  
46 but not limited to business organizations, labor organizations,  
47 professional or trade associations, candidate for or holder of public  
48 office, political party, ideological grouping or civic association, the



1 interests of which are shared by the leadership, members, or  
2 financial supporters of the committee or organization;

3 (2) the mailing address of the committee or organization and the  
4 name and resident address of a resident of this State who shall have  
5 been designated by the committee or organization as its agent to  
6 accept service of process; and

7 (3) a descriptive statement prepared by the organizers or officers  
8 of the committee or organization that identifies (a) the names and  
9 mailing addresses of the persons having control over the affairs of  
10 the committee or organization, including but not limited to persons  
11 in whose name or at whose direction or suggestion the committee or  
12 organization solicits funds, and persons participating in any  
13 decision to make a contribution of such funds to any candidate,  
14 political committee or continuing political committee or, in the case  
15 of an issue advocacy organization, any decision to expend funds for  
16 the purpose of influencing or attempting to influence the outcome  
17 of any election or the selection, nomination, or election of any  
18 person to State or local elective public office or the passage or  
19 defeat of any public question or providing political information on  
20 any candidate or public question; (b) the name and mailing address  
21 of any person not included among the persons identified under  
22 subparagraph (a) of this paragraph who, directly or through an  
23 agent, participated in the initial organization of the committee or  
24 organization; (c) in the case of any person identified under  
25 subparagraph (a) or subparagraph (b) who is an individual, the  
26 occupation of that individual, the individual's home address, and the  
27 name and mailing address of the individual's employer, or, in the  
28 case of any such person which is a corporation, partnership,  
29 unincorporated association, or other organization, the name and  
30 mailing address of the organization; and (d) any other information  
31 which the Election Law Enforcement Commission may, under such  
32 regulations as it shall adopt pursuant to the provisions of the  
33 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
34 seq.), require as being material to the fullest possible disclosure of  
35 the economic, political and other particular interests and objectives  
36 which the committee has been organized to or does advance. The  
37 commission shall be informed, in writing, of any change in the  
38 information required by this paragraph within three days of the  
39 occurrence of the change. Legislative leadership committees shall  
40 be exempt from the requirements of subparagraphs (a), (b) and (c)  
41 of this paragraph.

42 b. After submission of a statement of registration to the  
43 commission pursuant to this section, the committee or organization  
44 shall use the complete name or identifying title on all documents  
45 submitted to the commission, in all solicitations for contributions,  
46 in all paid media advertisements purchased or paid for by the  
47 committee in support of or in opposition to any candidate or public  
48 question, and in all contributions made by the committee to

1 candidates or other committees or, in the case an issue advocacy  
2 organization, any decision to expend funds for the purpose of  
3 influencing or attempting to influence the outcome of any election  
4 or the selection, nomination, or election of any person to State or  
5 local elective public office or the passage or defeat of any public  
6 question or providing political information on any candidate or  
7 public question.

8 c. Each report of contributions under section 8 of P.L.1973,  
9 c.83 (C.19:44A-8) by a political committee, issue advocacy  
10 organization, continuing political committee or legislative  
11 leadership committee required under subsection a. of this section to  
12 submit a statement of registration shall include, in the case of each  
13 contributor who is an individual, the home address of the individual  
14 if different from the individual's mailing address, or, in the case of  
15 any contributor which is an organization, any information, in  
16 addition to that otherwise required, which the Election Law  
17 Enforcement Commission may, under such regulations as it shall  
18 adopt pursuant to the provisions of the "Administrative Procedure  
19 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), require as being  
20 material to the fullest possible disclosure of the economic, political  
21 and other particular interests and objectives which the contributing  
22 organization has been organized to or does advance.

23 d. Any political committee, issue advocacy organization,  
24 continuing political committee or legislative leadership committee  
25 may at any time apply to the commission for approval of an  
26 abbreviation or acronym of its complete, official name or title for  
27 its exclusive use on documents which it shall submit to the  
28 commission. Upon verification that the abbreviation or acronym has  
29 not been approved for such use by any other political committee,  
30 issue advocacy organization, continuing political committee or  
31 legislative leadership committee, the commission shall approve the  
32 abbreviation or acronym for such use by the applicant committee or  
33 organization, and the committee, and any individual, corporation,  
34 partnership, membership organization or incorporated or  
35 unincorporated association which, under the provisions of P.L.1973,  
36 c.83 (C.19:44A-1 et al.), submits any documents to the commission  
37 containing a reference to that committee or organization, shall  
38 thereafter use that approved abbreviation or acronym in documents  
39 submitted to the commission. The commission shall, during its  
40 regular office hours, maintain for public inspection in its offices a  
41 current alphabetically arranged list of all such approved  
42 abbreviations and acronyms, indicating for each the name of the  
43 committee or organization for which it stands, and shall make  
44 copies of the list available upon request.

45 (cf: P.L.1993, c.65, s.21)

46  
47 5. Section 10 of P.L.1973, c.83 (C.19:44A-10) is amended to  
48 read as follows:

1       10. Each political party committee shall, on or before July 1 in  
2 each year, designate a single organizational treasurer and an  
3 organizational depository and shall, not later than the tenth day after  
4 the designation of the organizational depository file the name and  
5 address of that depository, and of the organizational treasurer, with  
6 the Election Law Enforcement Commission.

7       Every political committee may designate a chairman of the  
8 committee, but no person serving as the chairman of a political  
9 party committee or a legislative leadership committee shall be  
10 eligible to be appointed or to serve as the chairman of a political  
11 committee. Every political committee shall, not later than the date  
12 on which it first receives any contribution or makes or incurs any  
13 expenditure in the furtherance or aid of the election or defeat of any  
14 candidate or the passage or defeat of any public question, appoint a  
15 single campaign treasurer and designate a campaign depository, but  
16 no person serving as the chairman of a political party committee or  
17 a legislative leadership committee shall be eligible to be appointed  
18 or to serve as the campaign treasurer of a political committee. Not  
19 later than the tenth day after the initial designation of the campaign  
20 depository, the committee shall file the name and address of the  
21 depository, and of the campaign treasurer, with the Election Law  
22 Enforcement Commission.

23       Every issue advocacy organization may designate a chairman of  
24 the committee, but no person serving as the chairman of a political  
25 party committee or a legislative leadership committee shall be  
26 eligible to be appointed or to serve as the chairman of an issue  
27 advocacy organization. No candidate, directly or indirectly, shall  
28 establish, authorize the establishment of, maintain, or participate in  
29 the management or control of any issue advocacy organization.  
30 Every issue advocacy organization shall, not later than the date on  
31 which it first receives any contribution or makes or incurs any  
32 expenditure for the purpose of influencing or attempting to  
33 influence the outcome of any election or the selection, nomination,  
34 or election of any person to State or local elective public office or  
35 the passage or defeat of any public question or providing political  
36 information on any candidate or public question, appoint a single  
37 campaign treasurer and designate a campaign depository, but no  
38 person serving as the chairman of a political party committee or a  
39 legislative leadership committee shall be eligible to be appointed or  
40 to serve as the campaign treasurer of an issue advocacy  
41 organization. Not later than the tenth day after the initial  
42 designation of the campaign depository, the organization shall file  
43 the name and address of the depository, and of the campaign  
44 treasurer, with the Election Law Enforcement Commission.

45       Every continuing political committee shall, not later than the  
46 date on which it first receives any contribution or makes or incurs  
47 any expenditure in the furtherance or aid of the election or defeat of  
48 any candidate or the passage or defeat of any public question,

1 appoint a single organizational treasurer and designate an  
2 organizational depository, provided that no person who is the  
3 chairman of a political party committee or a legislative leadership  
4 committee shall be eligible to be appointed or to serve as the  
5 organizational treasurer of a continuing political committee. Not  
6 later than the tenth day after the initial designation of the  
7 organizational depository, the committee shall file the name and  
8 address of the depository, and of the organizational treasurer, with  
9 the Election Law Enforcement Commission.

10 Every legislative leadership committee shall, not later than the  
11 date on which it first receives any contribution or makes or incurs  
12 any expenditure in the furtherance or aid of the election or defeat of  
13 any candidate or the passage or defeat of any public question,  
14 appoint a single organizational treasurer and designate an  
15 organizational depository. Not later than the tenth day after the  
16 initial designation of the organizational depository, the committee  
17 shall file the name and address of the depository, and of the  
18 organizational treasurer, with the Election Law Enforcement  
19 Commission.

20 Each organizational treasurer of a State political party committee  
21 or a legislative leadership committee shall be a trained treasurer,  
22 pursuant to subsection g. of section 6 of P.L.1973, c.83 (C.19:44A-  
23 6), or shall acquire such training within 90 days of appointment as  
24 an organizational treasurer . An organizational treasurer of any  
25 other political party committee or a continuing political committee  
26 and a campaign treasurer of a political committee or issue advocacy  
27 organization may be a trained treasurer.

28 An organizational treasurer of a political party committee, a  
29 continuing political committee, or a legislative leadership  
30 committee and a campaign treasurer of a political committee may  
31 appoint deputy organizational or campaign treasurers as may be  
32 required and may designate additional organizational or campaign  
33 depositories. Such committees shall file the names and addresses of  
34 such deputy treasurers and additional depositories with the Election  
35 Law Enforcement Commission not later than the fifth day after their  
36 appointment or designation, respectively.

37 Any political party committee, any political committee, any issue  
38 advocacy organization, any continuing political committee and any  
39 legislative leadership committee may remove its organizational or  
40 campaign treasurer or deputy treasurer. In the case of the death,  
41 resignation or removal of its organizational or campaign treasurer,  
42 the committee or organization shall appoint a successor as soon as  
43 practicable and shall file his name and address with the Election  
44 Law Enforcement Commission within three days.

45 (cf: P.L.2004, c.22, s.3)

46

47 6. Section 18 of P.L.1993, c.65 (C.19:44A-11.3) is amended to  
48 read as follows:

1        18. a. No individual, other than an individual who is a candidate,  
2 no corporation of any kind organized and incorporated under the  
3 laws of this State or any other state or any country other than the  
4 United States, no labor organization of any kind which exists or is  
5 constituted for the purpose, in whole or in part, of collective  
6 bargaining, or of dealing with employers concerning the grievances,  
7 terms or conditions of employment, or of other mutual aid or  
8 protection in connection with employment, or any group shall: (1)  
9 pay or make any contribution of money or other thing of value to a  
10 candidate who has established only a candidate committee, his  
11 campaign treasurer, deputy campaign treasurer or candidate  
12 committee which in the aggregate exceeds **[\$2,600]** \$3,000 per  
13 election, or (2) pay or make any contribution of money or other  
14 thing of value to candidates who have established only a joint  
15 candidates committee, their campaign treasurer, deputy campaign  
16 treasurer, or joint candidates committee, which in the aggregate  
17 exceeds **[\$2,600]** \$3,000 per election per candidate, or (3) pay or  
18 make any contribution of money or other thing of value to a  
19 candidate who has established both a candidate committee and a  
20 joint candidates committee, the campaign treasurers, deputy  
21 campaign treasurers, or candidate committee or joint candidates  
22 committee, which in the aggregate exceeds **[\$2,600]** \$3,000 per  
23 election. No candidate who has established only a candidate  
24 committee, his campaign treasurer, deputy campaign treasurer or  
25 candidate committee shall knowingly accept from an individual,  
26 other than an individual who is a candidate, a corporation of any  
27 kind organized and incorporated under the laws of this State or any  
28 other state or any country other than the United States, a labor  
29 organization of any kind which exists or is constituted for the  
30 purpose, in whole or in part, of collective bargaining, or of dealing  
31 with employers concerning the grievances, terms or conditions of  
32 employment, or of other mutual aid or protection in connection with  
33 employment, or any group any contribution of money or other thing  
34 of value which in the aggregate exceeds **[\$2,600]** \$3,000 per  
35 election, and no candidates who have established only a joint  
36 candidates committee, or their campaign treasurer, deputy campaign  
37 treasurer, or joint candidates committee, shall knowingly accept  
38 from any such source any contribution of money or other thing of  
39 value which in the aggregate exceeds **[\$2,600]** \$3,000 per election  
40 per candidate, and no candidate who has established both a  
41 candidate committee and a joint candidates committee, the  
42 campaign treasurers, deputy campaign treasurers, or candidate  
43 committee or joint candidates committee shall knowingly accept  
44 from any such source any contribution of money or other thing of  
45 value which in the aggregate exceeds **[\$2,600]** \$3,000 per election.

46        b. (1) No political committee or continuing political committee  
47 shall: (a) pay or make any contribution of money or other thing of

1 value to a candidate who has established only a candidate  
2 committee, his campaign treasurer, deputy campaign treasurer or  
3 candidate committee, other than a candidate for nomination for  
4 election for the office of Governor or candidates for election for the  
5 offices of Governor and Lieutenant Governor, which in the  
6 aggregate exceeds ~~【\$8,200】~~ \$9,200 per election, or (b) pay or make  
7 any contribution of money or other thing of value to candidates who  
8 have established only a joint candidates committee, their campaign  
9 treasurer or deputy campaign treasurer, or the joint candidates  
10 committee, which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per  
11 election per candidate, or (c) pay or make any contribution of  
12 money or other thing of value to a candidate who has established  
13 both a candidate committee and a joint candidates committee, the  
14 campaign treasurers, deputy campaign treasurers, or candidate  
15 committee or joint candidates committee, which in the aggregate  
16 exceeds ~~【\$8,200】~~ \$9,200 per election. No candidate who has  
17 established only a candidate committee, his campaign treasurer,  
18 deputy campaign treasurer or candidate committee, other than a  
19 candidate for nomination for election for the office of Governor or  
20 candidates for election for the offices of Governor and Lieutenant  
21 Governor, shall knowingly accept from any political committee or  
22 continuing political committee any contribution of money or other  
23 thing of value which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per  
24 election, and no candidates who have established only a joint  
25 candidates committee, their campaign treasurer, deputy campaign  
26 treasurer, or joint candidates committee, shall knowingly accept  
27 from any such source any contribution of money or other thing of  
28 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per election  
29 per candidate, and no candidate who has established both a  
30 candidate committee and a joint candidates committee, the  
31 campaign treasurers, deputy campaign treasurers, or candidate  
32 committee or joint candidates committee shall knowingly accept  
33 from any such source any contribution of money or other thing of  
34 value which in the aggregate exceeds ~~【\$8,200】~~ \$9,200 per election.

35 (2) The limitation upon the knowing acceptance by a candidate,  
36 campaign treasurer, deputy campaign treasurer, candidate  
37 committee or joint candidates committee of any contribution of  
38 money or other thing of value from a political committee or  
39 continuing political committee under the provisions of paragraph  
40 (1) of this subsection shall also be applicable to the knowing  
41 acceptance of any such contribution from the county committee of a  
42 political party by a candidate or the campaign treasurer, deputy  
43 campaign treasurer, candidate committee or joint candidates  
44 committee of a candidate for any elective public office in another  
45 county or, in the case of a candidate for nomination for election or  
46 for election to the office of member of the Legislature, in a  
47 legislative district in which, according to the federal decennial

1 census upon the basis of which legislative districts shall have been  
2 established, less than 20% of the population resides within the  
3 county of that county committee. In addition, all contributor  
4 reporting requirements and other restrictions and regulations  
5 applicable to a contribution of money or other thing of value by a  
6 political committee or continuing political committee under the  
7 provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall likewise be  
8 applicable to the making or payment of such a contribution by such  
9 a county committee.

10 The limitation upon the knowing acceptance by a candidate,  
11 campaign treasurer, deputy campaign treasurer, candidate  
12 committee or joint candidates committee of any contribution of  
13 money or other thing of value from a political committee or  
14 continuing political committee under the provisions of paragraph  
15 (1) of this subsection, except that the amount of any contribution of  
16 money or other thing of value shall be in an amount which in the  
17 aggregate does not exceed \$25,000, shall also be applicable to the  
18 knowing acceptance of any such contribution from the county  
19 committee of a political party by a candidate, or the campaign  
20 treasurer, deputy campaign treasurer, candidate committee or joint  
21 candidates committee of a candidate, for nomination for election or  
22 for election to the office of member of the Legislature in a  
23 legislative district in which, according to the federal decennial  
24 census upon the basis of which legislative districts shall have been  
25 established, at least 20% but less than 40% of the population resides  
26 within the county of that county committee. In addition, all  
27 contributor reporting requirements and other restrictions and  
28 regulations applicable to a contribution of money or other thing of  
29 value by a political committee or continuing political committee  
30 under the provisions of P.L.1973, c.83 (C.19:44A-1 et al.) shall  
31 likewise be applicable to the making or payment of such a  
32 contribution by such a county committee.

33 With respect to the limitations in this paragraph, the Legislature  
34 finds and declares that:

35 (a) Persons making contributions to the county committee of a  
36 political party have a right to expect that their money will be used,  
37 for the most part, to support candidates for elective office who will  
38 most directly represent the interest of that county;

39 (b) The practice of allowing a county committee to use funds  
40 raised with this expectation to make unlimited contributions to  
41 candidates for the Legislature who may have a limited, or even  
42 nonexistent, connection with that county serves to undermine public  
43 confidence in the integrity of the electoral process;

44 (c) Furthermore, the risk of actual or perceived corruption is  
45 raised by the potential for contributors to circumvent limits on  
46 contributions to candidates by funneling money to candidates  
47 through county committees;

1 (d) The State has a compelling interest in preventing the  
2 actuality or appearance of corruption and in protecting public  
3 confidence in democratic institutions by limiting amounts which a  
4 county committee may contribute to legislative candidates whose  
5 districts are not located in close proximity to that county; and

6 (e) It is, therefore, reasonable for the State to promote this  
7 compelling interest by limiting the amount a county committee may  
8 give to a legislative candidate based upon the degree to which the  
9 population of the legislative district overlaps with the population of  
10 that county.

11 c. (1) No candidate who has established only a candidate  
12 committee, his campaign treasurer, deputy treasurer or candidate  
13 committee shall (a) pay or make any contribution of money or other  
14 thing of value to another candidate who has established only a  
15 candidate committee, his campaign treasurer, deputy campaign  
16 treasurer or candidate committee, other than a candidate for  
17 nomination for election for the office of Governor or candidates for  
18 election for the offices of Governor and Lieutenant Governor,  
19 which in the aggregate exceeds **[\$8,200]** \$9,200 per election, or (b)  
20 pay or make any contribution of money or other thing of value to  
21 candidates who have established only a joint candidates committee,  
22 their campaign treasurer, deputy campaign treasurer, or joint  
23 candidates committee, which in the aggregate exceeds **[\$8,200]**  
24 \$9,200 per election per candidate in the recipient committee, or (c)  
25 pay or make any contribution of money or other thing of value to a  
26 candidate who has established both a candidate committee and a  
27 joint candidates committee, the campaign treasurers, deputy  
28 campaign treasurers, or candidate committee or joint candidates  
29 committee, which in the aggregate exceeds **[\$8,200]** \$9,200 per  
30 election. No candidate who has established only a candidate  
31 committee, his campaign treasurer, deputy campaign treasurer or  
32 candidate committee, other than a candidate for nomination for  
33 election for the office of Governor or candidates for election to the  
34 offices of the Governor and Lieutenant Governor, shall knowingly  
35 accept from another candidate who has established only a candidate  
36 committee, his campaign treasurer, deputy campaign treasurer or  
37 candidate committee, any contribution of money or other thing of  
38 value which in the aggregate exceeds **[\$8,200]** \$9,200 per election,  
39 and no candidates who have established only a joint candidates  
40 committee, their campaign treasurer, deputy campaign treasurer, or  
41 joint candidates committee, shall knowingly accept from any such  
42 source any contribution of money or other thing of value which in  
43 the aggregate exceeds **[\$8,200]** \$9,200 per election per candidate in  
44 the recipient committee, and no candidate who has established both  
45 a candidate committee and a joint candidates committee, the  
46 campaign treasurers, deputy campaign treasurers, or candidate  
47 committee or joint candidates committee, shall knowingly accept



1 from any such source any contribution of money or other thing of  
2 value which in the aggregate exceeds **[\$8,200]** \$9,200 per election.

3 (2) No candidates who have established only a joint candidates  
4 committee, their campaign treasurer, deputy campaign treasurer, or  
5 joint candidates committee shall (a) pay or make any contribution  
6 of money or other thing of value to another candidate who has  
7 established only a candidate committee, his campaign treasurer,  
8 deputy campaign treasurer or candidate committee, other than a  
9 candidate for nomination for election for the office of Governor or  
10 candidates for election for the offices of Governor and Lieutenant  
11 Governor, which in the aggregate exceeds, on the basis of each  
12 candidate in the contributing joint candidates committee, **[\$8,200]**  
13 \$9,200 per election, or (b) pay or make any contribution of money  
14 or other thing of value to candidates who have established only a  
15 joint candidates committee, their campaign treasurer, deputy  
16 campaign treasurer or joint candidates committee, which in the  
17 aggregate exceeds, on the basis of each candidate in the  
18 contributing joint candidates committee, **[\$8,200]** \$9,200 per  
19 election per candidate in the recipient joint candidates committee,  
20 or (c) pay or make any contribution of money or other thing of  
21 value to a candidate who has established both a candidate  
22 committee and a joint candidates committee, the campaign  
23 treasurers, deputy campaign treasurers or candidate committee or  
24 joint candidates committee, which in the aggregate exceeds, on the  
25 basis of each candidate in the contributing joint candidates  
26 committee, **[\$8,200]** \$9,200 per election. No candidate who has  
27 established only a candidate committee, his campaign treasurer,  
28 deputy campaign treasurer, or candidate committee, other than a  
29 candidate for nomination for election for the office of Governor or  
30 candidates for election for the offices of Governor and Lieutenant  
31 Governor, shall knowingly accept from other candidates who have  
32 established only a joint candidates committee, their campaign  
33 treasurer, deputy campaign treasurer or joint candidates committee,  
34 any contribution of money or other thing of value which in the  
35 aggregate exceeds, on the basis of each candidate in the  
36 contributing committee, **[\$8,200]** \$9,200 per election, and no  
37 candidates who have established only a joint candidates committee,  
38 their campaign treasurer, deputy campaign treasurer, or joint  
39 candidates committee, shall knowingly accept from any such source  
40 any contribution of money or other thing of value which in the  
41 aggregate exceeds, on the basis of each candidate in the  
42 contributing joint candidates committee, **[\$8,200]** \$9,200 per  
43 election per candidate in the recipient joint candidates committee,  
44 and no candidate who has established both a candidate committee  
45 and a joint candidates committee, the campaign treasurers, deputy  
46 campaign treasurers, or candidate committee or joint candidates  
47 committee, shall knowingly accept from any such source any

1 contribution of money or other thing of value which in the  
2 aggregate exceeds, on the basis of each candidate in the  
3 contributing joint candidates committee, **[\$8,200]** \$9,200 per  
4 election.

5 (3) No candidate who has established both a candidate  
6 committee and a joint candidates committee, the campaign  
7 treasurers, deputy campaign treasurers, or candidate committee or  
8 joint candidates committee shall (a) pay or make any contribution  
9 of money or other thing of value to another candidate who has  
10 established only a candidate committee, his campaign treasurer,  
11 deputy campaign treasurer or candidate committee, other than a  
12 candidate for nomination for election for the office of Governor or  
13 candidates for election for the offices of Governor and Lieutenant  
14 Governor, which in the aggregate exceeds **[\$8,200]** \$9,200 per  
15 election, or (b) pay or make any contribution of money or other  
16 thing of value to candidates who have established only a joint  
17 candidates committee, their campaign treasurer, deputy campaign  
18 treasurer or joint candidates committee, which in the aggregate  
19 exceeds **[\$8,200]** \$9,200 per election per candidate in the recipient  
20 joint candidates committee, or (c) pay or make any contribution of  
21 money or other thing of value to a candidate who has established  
22 both a candidate committee and a joint candidates committee, the  
23 campaign treasurers, deputy campaign treasurers, or candidate  
24 committee or joint candidates committee, which in the aggregate  
25 exceeds **[\$8,200]** \$9,200 per election. No candidate who has  
26 established only a candidate committee, his campaign treasurer,  
27 deputy campaign treasurer, or candidate committee, other than a  
28 candidate for nomination for election for the office of Governor or  
29 candidates for election for the offices of Governor and Lieutenant  
30 Governor, shall knowingly accept from a candidate who has  
31 established both a candidate committee and a joint candidates  
32 committee, the campaign treasurers, deputy campaign treasurers, or  
33 candidate committee or joint candidates committee, any  
34 contribution of money or other thing of value which in the  
35 aggregate exceeds **[\$8,200]** \$9,200 per election, and no candidates  
36 who have established only a joint candidates committee, their  
37 campaign treasurer, deputy campaign treasurer, or joint candidates  
38 committee, shall knowingly accept from any such source any  
39 contribution of money or other thing of value which in the  
40 aggregate exceeds **[\$8,200]** \$9,200 per election per candidate in the  
41 recipient joint candidates committee, and no candidate who has  
42 established both a candidate committee and a joint candidates  
43 committee, the campaign treasurers, deputy campaign treasurers, or  
44 candidate committee or joint candidates committee shall knowingly  
45 accept from any such source any contribution of money or other  
46 thing of value which in the aggregate exceeds **[\$8,200]** \$9,200 per  
47 election.

1       (4) Expenditures by a candidate for nomination for election or  
2 for election to the office of member of the Legislature or to an  
3 office of a political subdivision of the State, or by the campaign  
4 treasurer, deputy treasurer, candidate committee or joint candidates  
5 committee of such a candidate, which are made in furtherance of the  
6 nomination or election, respectively, of another candidate for the  
7 same office in the same legislative district or the same political  
8 subdivision shall not be construed to be subject to any limitation  
9 under this subsection; for the purposes of this sentence, the offices  
10 of member of the State Senate and member of the General  
11 Assembly shall be deemed to be the same office.

12       d. Nothing contained in this section shall be construed to  
13 impose any limitation on contributions by a candidate, or by a  
14 corporation, 100% of the stock in which is owned by a candidate or  
15 the candidate's spouse, child, parent or sibling residing in the same  
16 household, to that candidate's campaign.

17       e. For the purpose of determining the amount of a contribution  
18 to be attributed as given to or by each candidate in a joint  
19 candidates committee, the amount of the contribution to or by such  
20 a committee shall be divided equally among all the candidates in the  
21 committee.

22 (cf: P.L.2009, c.66, s.12)

23

24       7. Section 19 of P.L.1993, c.65 (C.19:44A-11.4) is amended to  
25 read as follows:

26       19. a. (1) Except as otherwise provided in paragraph (2) of this  
27 subsection, no individual, no corporation of any kind organized and  
28 incorporated under the laws of this State or any other state or any  
29 country other than the United States, no labor organization of any  
30 kind which exists or is constituted for the purpose, in whole or in  
31 part, of collective bargaining, or of dealing with employers  
32 concerning the grievances, terms or conditions of employment, or  
33 of other mutual aid or protection in connection with employment,  
34 no political committee, continuing political committee, candidate  
35 committee or joint candidates committee or any other group, shall  
36 pay or make any contribution of money or other thing of value to  
37 the campaign treasurer, deputy treasurer or other representative of  
38 the State committee of a political party or the campaign treasurer,  
39 deputy campaign treasurer or other representative of any legislative  
40 leadership committee, which in the aggregate exceeds **[\$25,000]**  
41 \$28,000 per year, or in the case of a joint candidates committee  
42 when that is the only committee established by the candidates,  
43 **[\$25,000]** \$28,000 per year per candidate in the joint candidates  
44 committee, or in the case of a candidate committee and a joint  
45 candidates committee when both are established by a candidate,  
46 **[\$25,000]** \$28,000 per year from that candidate. No campaign  
47 treasurer, deputy campaign treasurer or other representative of the  
48 State committee of a political party or campaign treasurer, deputy

1 campaign treasurer or other representative of any legislative  
2 leadership committee shall knowingly accept from an individual, a  
3 corporation of any kind organized and incorporated under the laws  
4 of this State or any other state or any country other than the United  
5 States, a labor organization of any kind which exists or is  
6 constituted for the purpose, in whole or in part, of collective  
7 bargaining, or of dealing with employers concerning the grievances,  
8 terms or conditions of employment, or of other mutual aid or  
9 protection in connection with employment, a political committee, a  
10 continuing political committee, a candidate committee or a joint  
11 candidates committee or any other group, any contribution of  
12 money or other thing of value which in the aggregate exceeds  
13 **【\$25,000】** \$28,000 per year, or in the case of a joint candidates  
14 committee when that is the only committee established by the  
15 candidates, **【\$25,000】** \$28,000 per year per candidate in the joint  
16 candidates committee, or in the case of a candidate committee and a  
17 joint candidates committee when both are established by a  
18 candidate, **【\$25,000】** \$28,000 per year from that candidate.

19 (2) No national committee of a political party shall pay or make  
20 any contribution of money or other thing of value to the campaign  
21 treasurer, deputy treasurer or other representative of the State  
22 committee of a political party which in the aggregate exceeds  
23 **【\$72,000】** \$81,000 per year, and no campaign treasurer, deputy  
24 campaign treasurer or other representative of the State committee of  
25 a political party shall knowingly accept from the national committee  
26 of a political party any contribution of money or other thing of  
27 value which in the aggregate exceeds **【\$72,000】** \$81,000 per year.

28 b. No individual, no corporation of any kind organized and  
29 incorporated under the laws of this State or any other state or any  
30 country other than the United States, no labor organization of any  
31 kind which exists or is constituted for the purpose, in whole or in  
32 part, of collective bargaining, or of dealing with employers  
33 concerning the grievances, terms or conditions of employment, or  
34 of other mutual aid or protection in connection with employment,  
35 no political committee, continuing political committee, candidate  
36 committee or joint candidates committee or any other group, shall  
37 pay or make any contribution of money or other thing of value to  
38 any county committee of a political party, which in the aggregate  
39 exceeds **【\$37,000】** \$42,000 per year, or in the case of a joint  
40 candidates committee when that is the only committee established  
41 by the candidates, **【\$37,000】** \$42,000 per year per candidate in the  
42 joint candidates committee, or in the case of a candidate committee  
43 and a joint candidates committee when both are established by a  
44 candidate, **【\$37,000】** \$42,000 per year from that candidate. No  
45 campaign treasurer, deputy campaign treasurer or other  
46 representative of a county committee of a political party shall  
47 knowingly accept from an individual, a corporation of any kind

1 organized and incorporated under the laws of this State or any other  
2 state or any country other than the United States, a labor  
3 organization of any kind which exists or is constituted for the  
4 purpose, in whole or in part, of collective bargaining, or of dealing  
5 with employers concerning the grievances, terms or conditions of  
6 employment, or of other mutual aid or protection in connection with  
7 employment, a political committee, a continuing political  
8 committee, a candidate committee or a joint candidates committee  
9 or any other group, any contribution of money or other thing of  
10 value which in the aggregate exceeds **[\$37,000]** \$42,000 per year,  
11 or in the case of a joint candidates committee when that is the only  
12 committee established by the candidates, **[\$37,000]** \$42,000 per  
13 year per candidate in the joint candidates committee, or in the case  
14 of a candidate committee and a joint candidates committee when  
15 both are established by a candidate, **[\$37,000]** \$42,000 per year  
16 from that candidate.

17 c. No individual, no corporation of any kind organized and  
18 incorporated under the laws of this State or any other state or any  
19 country other than the United States, no labor organization of any  
20 kind which exists or is constituted for the purpose, in whole or in  
21 part, of collective bargaining, or of dealing with employers  
22 concerning the grievances, terms or conditions of employment, or  
23 of other mutual aid or protection in connection with employment,  
24 no political committee, continuing political committee, candidate  
25 committee or joint candidates committee or any other group shall  
26 pay or make any contribution of money or other thing of value to  
27 any municipal committee of a political party, which in the aggregate  
28 exceeds **[\$7,200]** \$8,100 per year, or in the case of a joint  
29 candidates committee when that is the only committee established  
30 by the candidates, **[\$7,200]** \$8,100 per year per candidate in the  
31 joint candidates committee, or in the case of a candidate committee  
32 and a joint candidates committee when both are established by a  
33 candidate, **[\$7,200]** \$8,100 per year from that candidate. No  
34 campaign treasurer, deputy campaign treasurer or other  
35 representative of a municipal committee of a political party shall  
36 knowingly accept from an individual, a corporation of any kind  
37 organized and incorporated under the laws of this State or any other  
38 state or any country other than the United States, a labor  
39 organization of any kind which exists or is constituted for the  
40 purpose, in whole or in part, of collective bargaining, or of dealing  
41 with employers concerning the grievances, terms or conditions of  
42 employment, or of other mutual aid or protection in connection with  
43 employment, a political committee, a continuing political  
44 committee, a candidate committee or a joint candidates committee  
45 or any other group, any contribution of money or other thing of  
46 value which in the aggregate exceeds **[\$7,200]** \$8,100 per year, or  
47 in the case of a joint candidates committee when that is the only

1 committee established by the candidates, **[\$7,200]** \$8,100 per year  
2 per candidate in the joint candidates committee, or in the case of a  
3 candidate committee and a joint candidates committee when both  
4 are established by a candidate, **[\$7,200]** \$8,100 per year from that  
5 candidate.

6 No county committee of a political party in any county shall pay  
7 or make any contribution of money or other thing of value to a  
8 municipal committee of a political party in a municipality not  
9 located in that county which in the aggregate exceeds the amount of  
10 aggregate contributions which, under this subsection, a continuing  
11 political committee is permitted to pay or make to a municipal  
12 committee of a political party. No campaign treasurer, deputy  
13 campaign treasurer or other representative of a municipal committee  
14 of a political party in any municipality shall knowingly accept from  
15 any county committee of a political party in any county other than  
16 the county in which the municipality is located any contribution of  
17 money or other thing of value which in the aggregate exceeds the  
18 amount of contributions permitted to be so paid or made under that  
19 subsection.

20 d. For the purpose of determining the amount of a contribution  
21 to be attributed as given by each candidate in a joint candidates  
22 committee, the amount of the contribution by such a committee  
23 shall be divided equally among all the candidates in the committee.

24 (cf: P.L.2004, c.174, s.4)

25  
26 8. Section 20 of P.L.1993, c.65 (C.19:44A-11.5) is amended to  
27 read as follows:

28 20. a. No candidate who has established only a candidate  
29 committee, his campaign treasurer, deputy treasurer or candidate  
30 committee shall pay or make any contribution of money or other  
31 thing of value to a political committee, other than a political  
32 committee which is organized to, or does, aid or promote the  
33 passage or defeat of a public question in any election, or a  
34 continuing political committee, which in the aggregate exceeds, in  
35 the case of such a political committee, **[\$7,200]** \$8,100 per  
36 election, or in the case of a continuing political committee,  
37 **[\$7,200]** \$8,100 per year, and no candidates who have established  
38 only a joint candidates committee, their campaign treasurer, deputy  
39 campaign treasurer or joint candidates committee shall pay or make  
40 any contribution of money or other thing of value to such a political  
41 committee or continuing political committee which in the aggregate  
42 exceeds, in the case of such a political committee, **[\$7,200]** \$8,100  
43 per election per candidate in the joint candidates committee, or in  
44 the case of a continuing political committee, **[\$7,200]** \$8,100 per  
45 year per candidate in the joint candidates committee, and no  
46 candidate who has established both a candidate committee and a  
47 joint candidates committee shall pay or make any contribution of

1 money or other thing of value which in the aggregate exceeds, in  
2 the case of such a political committee, **[\$7,200]** \$8,100 per election  
3 from that candidate, or in the case of a continuing political  
4 committee, **[\$7,200]** \$8,100 per year from that candidate. No  
5 political committee, other than a political committee which is  
6 organized to, or does, aid or promote the passage or defeat of a  
7 public question in any election, or a continuing political committee,  
8 shall knowingly accept from a candidate who has established only a  
9 candidate committee, his campaign treasurer, deputy treasurer or  
10 candidate committee, any contribution of money or other thing of  
11 value which in the aggregate exceeds, in the case of such a political  
12 committee, **[\$7,200]** \$8,100 per election, or in the case of a  
13 continuing political committee, **[\$7,200]** \$8,100 per year, and no  
14 such political committee or continuing political committee shall  
15 knowingly accept from candidates who have established only a joint  
16 candidates committee, their campaign treasurer, deputy campaign  
17 treasurer, or joint candidates committee, any contribution of money  
18 or other thing of value which in the aggregate exceeds, in the case  
19 of such a political committee, **[\$7,200]** \$8,100 per election per  
20 candidate in the joint candidates committee, or in the case of a  
21 continuing political committee, **[\$7,200]** \$8,100 per year per  
22 candidate in the joint candidates committee, and no such political  
23 committee or continuing political committee shall knowingly accept  
24 from a candidate who has established both a candidate committee  
25 and a joint candidates committee any contribution of money or  
26 other thing of value which in the aggregate exceeds, in the case of  
27 such a political committee, **[\$7,200]** \$8,100 per election from that  
28 candidate, or in the case of a continuing political committee,  
29 **[\$7,200]** \$8,100 per year from that candidate. For the purpose of  
30 determining the amount of a contribution to be attributed as given  
31 by each candidate in a joint candidates committee, the amount of  
32 the contribution by such a committee shall be divided equally  
33 among all the candidates in the committee.

34 b. No political committee, other than a political committee  
35 which is organized to, or does, aid or promote the passage or defeat  
36 of a public question in any election, and no continuing political  
37 committee shall pay or make any contribution of money or other  
38 thing of value to another political committee, other than a political  
39 committee which is organized to, or does, aid or promote the  
40 passage or defeat of a public question in any election, or another  
41 continuing political committee which in the aggregate exceeds, in  
42 the case of a recipient continuing political committee, **[\$7,200]**  
43 \$8,100 per year, or in the case of a recipient political committee,  
44 **[\$7,200]** \$8,100 per election. No political committee, other than a  
45 political committee which is organized to, or does, aid or promote  
46 the passage or defeat of a public question in any election, and no  
47 continuing political committee shall knowingly accept from another

1 political committee, other than a political committee which is  
2 organized to, or does, aid or promote the passage or defeat of a  
3 public question in any election, or another continuing political  
4 committee any contribution of money or other thing of value which  
5 in the aggregate exceeds, in the case of a recipient continuing  
6 political committee, **[\$7,200]** \$8,100 per year, or in the case of a  
7 recipient political committee, **[\$7,200]** \$8,100 per election.

8 c. No individual, no corporation of any kind organized and  
9 incorporated under the laws of this State or any other state or any  
10 country other than the United States, no labor organization of any  
11 kind which exists or is constituted for the purpose, in whole or in  
12 part, of collective bargaining, or of dealing with employees  
13 concerning the grievances, terms or conditions of employment, or  
14 of other mutual aid or protection in connection with employment,  
15 nor any other group, shall pay or make any contribution of money  
16 or other thing of value to a political committee, other than a  
17 political committee which is organized to, or does, aid or promote  
18 the passage or defeat of a public question in any election, or a  
19 continuing political committee, which in the aggregate exceeds, in  
20 the case of such a political committee, **[\$7,200]** \$8,100 per  
21 election, or in the case of a continuing political committee,  
22 **[\$7,200]** \$8,100 per year, and no such political committee or  
23 continuing political committee shall knowingly accept any  
24 contribution in excess of those amounts from an individual or from  
25 such corporation, labor organization, or other group.

26 (cf: P.L.2001, c.384, s.3)

27  
28 9. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to  
29 read as follows:

30 16. a. The campaign treasurer of each candidate committee and  
31 joint candidates committee shall make a full cumulative report,  
32 upon a form prescribed by the Election Law Enforcement  
33 Commission, of all contributions in the form of moneys, loans, paid  
34 personal services or other things of value, made to him or to the  
35 deputy campaign treasurers of the candidate committee or joint  
36 candidates committee, and all expenditures paid out of the election  
37 fund of the candidate or candidates, during the period ending with  
38 the second day preceding the date of the cumulative report and  
39 beginning on the date of the first of those contributions, the date of  
40 the first of those expenditures, or the date of the appointment of the  
41 campaign treasurer, whichever occurred first. The report shall also  
42 contain the name and mailing address of each person or group from  
43 whom moneys, loans, paid personal services or other things of value  
44 were contributed after the second day preceding the date of the  
45 previous cumulative report and the amount contributed by each  
46 person or group, and where an individual has made such  
47 contributions, the report shall indicate the occupation of the  
48 individual and the name and mailing address of the individual's



1 employer. In the case of any loan reported pursuant to this section,  
2 the report shall further contain the name and mailing address of  
3 each person who cosigns such loan, the occupation of the person  
4 and the name and mailing address of the person's employer. If no  
5 moneys, loans, paid personal services or other things of value were  
6 contributed, the report shall so indicate, and if no expenditures were  
7 paid or incurred, the report shall likewise so indicate. The  
8 campaign treasurer and the candidate or several candidates shall  
9 certify the correctness of the report.

10 b. During the period between the appointment of the campaign  
11 treasurer and the election with respect to which contributions are  
12 accepted or expenditures made by him, the campaign treasurer shall  
13 file his cumulative campaign report (1) on the 29th day preceding  
14 the election, and (2) on the 11th day preceding the election; and  
15 after the election he shall file his report on the 20th day following  
16 such election. Concurrent with the report filed on the 20th day  
17 following an election, or at any time thereafter, the campaign  
18 treasurer of a candidate committee or joint candidates committee  
19 may certify to the Election Law Enforcement Commission that the  
20 election fund of such candidate committee or joint candidates  
21 committee has wound up its business and been dissolved, or that  
22 business regarding the late election has been wound up but the  
23 candidate committee or joint candidates committee will continue for  
24 the deposit and use of contributions in accordance with section 17  
25 of P.L.1993, c.65 (C.19:44A-11.2). Certification shall be  
26 accompanied by a final accounting of such election fund, or of the  
27 transactions relating to such election, including the final disposition  
28 of any balance remaining in such fund at the time of dissolution or  
29 the arrangements which have been made for the discharge of any  
30 obligations remaining unpaid at the time of dissolution. Until the  
31 candidate committee or joint candidates committee is dissolved,  
32 each such treasurer shall continue to file reports in the form and  
33 manner herein prescribed.

34 The Election Law Enforcement Commission shall promulgate  
35 regulations providing for the termination of post-election campaign  
36 reporting requirements applicable to political committees, candidate  
37 committees and joint candidates committees. The requirements to  
38 file quarterly reports after the first post-election report may be  
39 waived by the commission, notwithstanding that the certification  
40 has not been filed, if the commission determines under any  
41 regulations so promulgated that the outstanding obligations of the  
42 political committee, candidate committee or joint candidates  
43 committee do not exceed 10% of the expenditures of the campaign  
44 fund with respect to the election or \$1,000.00, whichever is less, or  
45 are likely to be discharged or forgiven.

46 A candidate committee or joint candidates committee shall file  
47 with the Election Law Enforcement Commission, not later than  
48 April 15, July 15, October 15 of each calendar year in which the

1 candidate or candidates in control of the committee does or do not  
2 run for election or reelection and January 15 of each calendar year  
3 in which the candidate or candidates does or do run for election or  
4 reelection, a cumulative quarterly report of all moneys, loans, paid  
5 personal services or other things of value contributed to it or to the  
6 candidate or candidates during the period ending on the 15th day  
7 preceding that date and commencing on January 1 of that calendar  
8 year or, in the case of the cumulative quarterly report to be filed not  
9 later than January 15, of the previous calendar year, and all  
10 expenditures made, incurred, or authorized by it or the candidate or  
11 candidates during the period, whether or not such expenditures were  
12 made, incurred or authorized in furtherance of the election or defeat  
13 of any candidate, or in aid of the passage or defeat of any public  
14 question or to provide information on any candidate or public  
15 question. The commission may by regulation require any such  
16 candidate committee or joint candidates committee to file during  
17 any calendar year one or more additional cumulative reports of such  
18 contributions received and expenditures made as may be necessary  
19 to ensure that no more than five months shall elapse between the  
20 last day of a period covered by one such report and the last day of  
21 the period covered by the next such report.

22 The commission, on any form it shall prescribe for the reporting  
23 of expenditures by a candidate committee or joint candidates  
24 committee, shall provide for the grouping together of all  
25 expenditures under the category of "campaign expenses" under  
26 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,  
27 identified as such, and for the grouping together, separately, of all  
28 other expenditures under the categories prescribed by paragraphs  
29 (2) through (6) of that subsection. The cumulative quarterly report  
30 due on April 15 in a year immediately after the year in which the  
31 candidate or candidates does or do run for election or reelection  
32 shall contain a report of all of the contributions received and  
33 expenditures made by the candidate or candidates since the 18th day  
34 after that election.

35 The cumulative quarterly report shall contain the name and  
36 mailing address of each person or group from whom moneys, loans,  
37 paid personal services or other things of value have been  
38 contributed and the amount contributed by each person or group,  
39 and where an individual has made such contributions, the report  
40 shall indicate the occupation of the individual and the name and  
41 mailing address of the individual's employer. In the case of any  
42 loan reported pursuant to this section, the report shall contain the  
43 name and address of each person who cosigns such loan, and where  
44 an individual has cosigned such loans, the report shall indicate the  
45 occupation of the individual and the name and mailing address of  
46 his employer. The report shall also contain the name and address of  
47 each person, firm or organization to whom expenditures have been  
48 paid and the amount and purpose of each such expenditure. The

1 treasurer of the candidate committee or joint candidates committee  
2 and the candidate or candidates shall certify to the correctness of  
3 each cumulative quarterly report.

4 c. **【In the case of an election of a candidate for an office**  
5 **electd by a municipal or countywide constituency or a school**  
6 **district a duplicate copy of the campaign treasurer's report, duly**  
7 **certified, shall be filed at the same time with the county clerk of the**  
8 **county in which the candidate resides and the county clerk shall**  
9 **retain a written record of that filing for a period of not less than four**  
10 **years following the date of the election.】** (Deleted by amendment,  
11 P.L. , c. )(pending before the Legislature as this bill)

12 d. There shall be no obligation to file the reports required by  
13 this section on behalf of a candidate if such candidate files with the  
14 Election Law Enforcement Commission a sworn statement to the  
15 effect that the total amount to be expended in behalf of his  
16 candidacy by the candidate committee, by any political party  
17 committee, by any political committee, or by any person shall not in  
18 the aggregate exceed **【\$2,000.00】** \$3,000 or **【\$4,000】** \$6,000 for  
19 any joint candidates committee containing two candidates or  
20 **【\$6,000】** \$9,000 for any joint candidates committee containing  
21 three or more candidates. The sworn statement may be submitted at  
22 the time when the name and address of the campaign treasurer and  
23 depository is filed with the Election Law Enforcement Commission,  
24 provided that in any case the sworn statement is filed no later than  
25 the 29th day before an election. **【If a candidate who has filed such a**  
26 **sworn statement receives contributions from any one source**  
27 **aggregating more than \$300 he shall forthwith make report of the**  
28 **same, including the name and mailing address of the source and the**  
29 **aggregate total of contributions therefrom, and where the source is**  
30 **an individual, the occupation of the individual and the name and**  
31 **mailing address of the individual's employer, to the Election Law**  
32 **Enforcement Commission. The \$300 limit established in this**  
33 **subsection shall remain as stated in this subsection without further**  
34 **adjustment by the commission in the manner prescribed by section**  
35 **22 of P.L.1993, c.65 (C.19:44A-7.2).】**

36 e. There shall be no obligation imposed upon a candidate  
37 seeking election to a public office of a school district to file either  
38 the reports required under subsection b. of this section or the sworn  
39 statement referred to in subsection d. of this section, if the total  
40 amount expended and to be expended in behalf of his candidacy by  
41 the candidate committee, any political committee, any continuing  
42 political committee, or a political party committee or by any person,  
43 does not in the aggregate exceed **【\$2,000.00】** \$3,000 per election or  
44 **【\$4,000】** \$6,000 for any joint candidates committee containing two  
45 candidates or **【\$6,000】** \$9,000 for any joint candidates committee  
46 containing three or more candidates**【**; provided, that if such  
47 candidate receives contributions from any one source aggregating

1 more than \$300, he shall forthwith make a report of the same,  
2 including the name and mailing address of the source, the aggregate  
3 total of contributions therefrom, and where the source is an  
4 individual, the occupation of the individual and the name and  
5 mailing address of the individual's employer, to the commission.

6 The \$300 limit established in this subsection shall remain as  
7 stated in this subsection without further adjustment by the  
8 commission in the manner prescribed by section 22 of P.L.1993,  
9 c.65 (C.19:44A-7.2)].

10 f. [In any report filed pursuant to the provisions of this  
11 section, the names and addresses of contributors whose  
12 contributions during the period covered by the report did not exceed  
13 \$300 may be excluded; provided, however, that (1) such exclusion  
14 is unlawful if any person responsible for the preparation or filing of  
15 the report knew that such exclusion was made with respect to any  
16 person whose total contributions relating to the same election and  
17 made to the reporting candidate or to an allied campaign  
18 organization or organizations aggregate, in combination with the  
19 total contributions in respect of which such exclusion is made, more  
20 than \$300, and (2) any person who knowingly prepares, assists in  
21 preparing, files or acquiesces in the filing of any report from which  
22 the identity of any contributor has been excluded contrary to the  
23 provisions of this section is subject to the provisions of section 21  
24 of this act, but (3) nothing in this proviso shall be construed as  
25 requiring any candidate committee or joint candidates committee  
26 reporting pursuant to this act to report the amounts, dates or other  
27 circumstantial data regarding contributions made to any other  
28 candidate committee, joint candidates committee, political  
29 committee, continuing political committee, political party  
30 committee or legislative leadership committee.

31 The \$300 limit established in this subsection shall remain as  
32 stated in this subsection without further adjustment by the  
33 commission in the manner prescribed by section 22 of P.L.1993,  
34 c.65 (C.19:44A-7.2)] (Deleted by amendment, P.L. \_\_\_\_\_, c. \_\_\_\_\_)  
35 (pending before the Legislature as this bill)

36 g. Any report filed pursuant to the provisions of this section  
37 shall include an itemized accounting of all receipts and  
38 expenditures relative to any testimonial affair held since the date of  
39 the most recent report filed, which accounting shall include the  
40 name and mailing address of each contributor [in excess of \$300]  
41 to such testimonial affair and the amount contributed by each; in the  
42 case of any individual contributor, the occupation of the individual  
43 and the name and mailing address of the individual's employer; the  
44 expenses incurred; and the disposition of the proceeds of such  
45 testimonial affair.

46 [The \$300 limit established in this subsection shall remain as  
47 stated in this subsection without further adjustment by the

1 commission in the manner prescribed by section 22 of P.L.1993,  
2 c.65 (C.19:44A-7.2).】

3 h. (Deleted by amendment, P.L.1993, c.65.)

4 i. Each campaign treasurer of a candidate committee or joint  
5 candidates committee shall file written notice with the commission  
6 of a contribution in excess of **【\$500】** \$1,500 received during the  
7 period between the 13th day prior to the election and the date of the  
8 election and of an expenditure of money or other thing of value in  
9 excess of **【\$800】** \$1,500 made, incurred or authorized by the  
10 candidate committee or joint candidates committee to support or  
11 defeat a candidate in an election, or to aid the passage or defeat of  
12 any public question, during the period between the 13th day prior to  
13 the election and the date of the election, provided that a candidate  
14 shall not be required to file written notice pursuant to this  
15 subsection of an expenditure made to support his or her own  
16 candidacy, or to support or defeat a candidate for the same office in  
17 an election. For the purposes of this subsection, the offices of  
18 member of the Senate and member of the General Assembly shall  
19 be deemed to be the same office in a legislative district; the offices  
20 of member of the board of chosen freeholders and county executive  
21 shall be deemed to be the same office in a county; and the offices of  
22 mayor and member of the municipal governing body shall be  
23 deemed to be the same office in a municipality.

24 The notice of a contribution shall be filed in writing or by  
25 telegram within 48 hours of the receipt of the contribution and shall  
26 set forth the amount and date of the contribution, the name and  
27 mailing address of the contributor, and where the contributor is an  
28 individual, the occupation of the individual and the name and  
29 mailing address of the individual's employer. The notice of an  
30 expenditure shall be filed in writing or by telegram within 48 hours  
31 of the making, incurring or authorization of the expenditure and  
32 shall set forth the name and mailing address of the person, firm or  
33 organization to whom or which the expenditure was paid and the  
34 amount and purpose of the expenditure.

35 j. In addition to the other reports required to be filed by this  
36 section, when a candidate committee or joint candidates committee  
37 receives a contribution from one or more sources of more than  
38 \$3,000 in the aggregate, it shall, using the Internet site of the  
39 commission, report that contribution or those contributions to the  
40 commission within 48 hours of the receipt thereof, including in that  
41 report the amount and date of each contribution that, when  
42 combined, exceeds \$3,000; the name and mailing address of the  
43 contributor or contributors; and where a contributor is an individual,  
44 the individual's occupation and the name and mailing address of the  
45 individual's employer. After this threshold has been reached by a  
46 candidate committee or joint candidates committee, an additional  
47 report shall be filed thereby each time subsequent contributions  
48 from one or more sources exceed \$3,000 in the aggregate. The

1 report shall be filed within 48 hours of reaching the \$3,000  
2 threshold using the Internet site of the commission and shall include  
3 the same information required when the report of the initial  
4 contribution of \$3,000 was filed with the commission.

5 In addition to the other reports required to be filed by this  
6 section, when a candidate committee or joint candidates committee  
7 makes or authorizes one or more expenditures of money or other  
8 thing of value that exceeds \$3,000 in the aggregate, or incurs any  
9 obligation therefor, it shall, using the Internet site of the  
10 commission, report that expenditure or those expenditures to the  
11 commission within 48 hours of the making, authorizing or incurring  
12 thereof, and include in that report the amount and date of each  
13 expenditure or expenditures that, when combined, exceeds \$3,000.  
14 After this threshold has been reached by a candidate committee or  
15 joint candidates committee, an additional report shall be filed  
16 thereby each time subsequent expenditures exceed \$3,000 in the  
17 aggregate. The report shall be filed within 48 hours of reaching the  
18 \$3,000 threshold using the Internet site of the commission and shall  
19 include the same information required when the report of the initial  
20 expenditure of \$3,000 was filed with the commission.

21 (cf: P.L.2004, c.33, s.3)

22  
23 10. (New section) Notwithstanding the provisions of any other law  
24 to the contrary:

25 a State agency in the Executive Branch shall not enter into a  
26 contract having an anticipated value in excess of \$17,500, as  
27 determined in advance and certified in writing by the State agency,  
28 with a business entity if, during the preceding one-year period, that  
29 business entity has made a contribution to any candidate committee of  
30 the Governor and the Lieutenant Governor serving when the contract  
31 is awarded, or, except when a contract is awarded pursuant to a fair  
32 and open process, to a State committee of a political party of which  
33 that Governor and Lieutenant Governor serving when the contract is  
34 awarded are members; and

35 a business entity that has entered into a contract having an  
36 anticipated value in excess of \$17,500 with a State agency in the  
37 Executive Branch shall not make a contribution to any candidate  
38 committee of the Governor and the Lieutenant Governor serving when  
39 the contract is awarded, or, except when a contract is awarded  
40 pursuant to a fair and open process, to a State committee of a political  
41 party of which that Governor and Lieutenant Governor serving when  
42 the contract is awarded are members, during the term of that contract.

43 No such committee shall accept such a contribution from a business  
44 entity during the term of its contract with a State agency in the  
45 Executive Branch.

46  
47 11. Section 2 of P.L.2004, c.19 (C.19:44A-20.3) is amended to  
48 read as follows:

1       2. Notwithstanding the provisions of any other law to the  
2 contrary:

3       a State agency in the Legislative Branch shall not enter into a  
4 contract having an anticipated value in excess of \$17,500, as  
5 determined in advance and certified in writing by the State agency,  
6 with a business entity, that requires approval by a presiding officer  
7 of either or both houses of the Legislature, ~~except a contract that is~~  
8 awarded pursuant to a fair and open process,] if, during the  
9 preceding one-year period, that business entity has made a  
10 contribution[, reportable by the recipient under P.L.1973, c.83  
11 (C.19:44A-1 et seq.),] to [the State] any candidate committee of  
12 the [political party of which that] presiding officer[,] serving when  
13 the contract is awarded[, is a member], or to a legislative  
14 leadership committee [or to any candidate committee] established  
15 by that presiding officer, or, except when a contract is awarded  
16 pursuant to a fair and open process, to a State committee of a political  
17 party of which that presiding officer serving when the contract is  
18 awarded is a member; and

19       a business entity that has entered into a contract having an  
20 anticipated value in excess of \$17,500 with a State agency in the  
21 Legislative Branch, that requires approval by a presiding officer of  
22 either or both houses of the Legislature, ~~except a contract that is~~  
23 awarded pursuant to a fair and open process,] shall not make a  
24 contribution[, reportable by the recipient under P.L.1973, c.83  
25 (C.19:44A-1 et seq.),] to [the State] any candidate committee of  
26 [the political party of which that] the presiding officer [is a  
27 member] serving when the contract is awarded, or to a legislative  
28 leadership committee [or to any candidate committee] established  
29 by that presiding officer, or, except when a contract is awarded  
30 pursuant to a fair and open process, to a State committee of a political  
31 party of which that presiding officer serving when the contract is  
32 awarded is a member, during the term of that contract.

33       No such committee shall accept such a contribution from a  
34 business entity during the term of its contract with a State agency in  
35 the Legislative Branch.

36 (cf: P.L.2004, c.19, s.2)

37

38       12. Section 3 of P.L.2004, c.19 (C.19:44A-20.4) is amended to  
39 read as follows:

40       3. Notwithstanding the provisions of any other law to the  
41 contrary:

42       a county, or any agency or instrumentality thereof, shall not enter  
43 into a contract having an anticipated value in excess of \$17,500, as  
44 determined in advance and certified in writing by the county,  
45 agency or instrumentality, with a business entity, ~~except a contract~~  
46 that is awarded pursuant to a fair and open process,] if, during the

1 preceding one-year period, that business entity has made a  
2 contribution **【**that is reportable by the recipient under P.L.1973,  
3 c.83 (C.19:44A-1 et seq.), to any county committee of a political  
4 party in that county if a member of that political party is serving in  
5 an elective public office of that county when the contract is awarded  
6 or**】** to any candidate committee of any person serving in an elective  
7 public office of that county when the contract is awarded, or, except  
8 when a contract is awarded pursuant to a fair and open process, to a  
9 county committee of a political party in that county if a member of that  
10 political party is serving in an elective public office of that county  
11 when the contract is awarded; and

12 a business entity that has entered into a contract having an  
13 anticipated value in excess of \$17,500 with a county, or any agency  
14 or instrumentality thereof, **【**except a contract that is awarded  
15 pursuant to a fair and open process,**】** shall not make such a  
16 contribution**【**, reportable by the recipient under P.L.1973, c.83  
17 (C.19:44A-1 et seq.), to any county committee of a political party in  
18 that county if a member of that political party is serving in an  
19 elective public office of that county when the contract is awarded  
20 or**】** to any candidate committee of any person serving in an elective  
21 public office of that county when the contract is awarded, or, except  
22 when a contract is awarded pursuant to a fair and open process, to a  
23 county committee of a political party in that county if a member of that  
24 political party is serving in an elective public office of that county  
25 when the contract is awarded, during the term of that contract.

26 No such committee shall accept such a contribution from a  
27 business entity during the term of its contract with the county.

28 (cf: P.L.2004, c.19, s.3)

29

30 13. Section 4 of P.L.2004, c.19 (C.44A-20.5) is amended to read  
31 as follows:

32 4. Notwithstanding the provisions of any other law to the  
33 contrary:

34 a municipality, or any agency or instrumentality thereof, shall  
35 not enter into a contract having an anticipated value in excess of  
36 \$17,500, as determined in advance and certified in writing by the  
37 municipality, agency or instrumentality, with a business entity,  
38 **【**except a contract that is awarded pursuant to a fair and open  
39 process,**】** if, during the preceding one-year period, that business  
40 entity has made a contribution **【**that is reportable by the recipient  
41 under P.L.1973, c.83 (C.19:44A-1 et seq.), to any municipal  
42 committee of a political party in that municipality if a member of  
43 that political party is serving in an elective public office of that  
44 municipality when the contract is awarded or**】** to any candidate  
45 committee of any person serving in an elective public office of that  
46 municipality when the contract is awarded, or, except when a  
47 contract is awarded pursuant to a fair and open process, to any



1 municipal committee of a political party in that municipality if a  
2 member of that political party is serving in an elective public office of  
3 that municipality when the contract is awarded; and

4 a business entity that has entered into a contract having an  
5 anticipated value in excess of \$17,500 with a municipality, or any  
6 agency or instrumentality thereof, **【except a contract that is**  
7 **awarded pursuant to a fair and open process,】** shall not make such a  
8 contribution**【,** reportable by the recipient under P.L.1973, c.83  
9 (C.19:44A-1 et seq.), to any municipal committee of a political  
10 party in that municipality if a member of that political party is  
11 serving in an elective public office of that municipality when the  
12 contract is awarded or**】** to any candidate committee of any person  
13 serving in an elective public office of that municipality when the  
14 contract is awarded, or, except when a contract is awarded pursuant to  
15 a fair and open process, to any municipal committee of a political  
16 party in that municipality if a member of that political party is serving  
17 in an elective public office of that municipality when the contract is  
18 awarded, during the term of that contract.

19 No such committee shall accept such a contribution from a  
20 business entity during the term of its contract with the municipality.  
21 (cf: P.L.2004, c.19, s.4)

22

23 14. (New section) Notwithstanding the provisions of any other  
24 law to the contrary:

25 a local board of education, or any agency or instrumentality  
26 thereof, shall not enter into a contract having an anticipated value in  
27 excess of \$17,500, as determined in advance and certified in writing  
28 by the board, agency or instrumentality, with a business entity if,  
29 during the preceding one-year period, that business entity has made  
30 a contribution to any candidate committee of any person serving on  
31 that board when the contract is awarded; and

32 a business entity that has entered into a contract having an  
33 anticipated value in excess of \$17,500 with a local board of  
34 education, or any agency or instrumentality thereof, shall not make  
35 such a contribution to any candidate committee of any person  
36 serving on that board when the contract is awarded, during the term  
37 of that contract.

38 No such committee shall accept such a contribution from a  
39 business entity during the term of its contract with the local board  
40 of education.

41

42 15. (New section) Notwithstanding the provisions of any other  
43 law to the contrary:

44 a board of fire commissioners of a fire district, or any agency or  
45 instrumentality thereof, shall not enter into a contract having an  
46 anticipated value in excess of \$17,500, as determined in advance  
47 and certified in writing by the board, agency or instrumentality,  
48 with a business entity if, during the preceding one-year period, that

1 business entity has made a contribution to any candidate committee  
2 of any person serving on that board when the contract is awarded;  
3 and

4 a business entity that has entered into a contract having an  
5 anticipated value in excess of \$17,500 with a board of fire  
6 commissioners of a fire district, or any agency or instrumentality  
7 thereof, shall not make such a contribution to any candidate  
8 committee of any person serving on that board when the contract is  
9 awarded, during the term of that contract.

10 No such committee shall accept such a contribution from a  
11 business entity during the term of its contract with the board.

12

13 16. Section 5 of P.L.2004, c.19 (C.19:44A-20.6) is amended to  
14 read as follows:

15 5. When a business entity is a natural person, a contribution by  
16 that person's spouse, domestic partner, civil union partner, or child,  
17 residing therewith, shall be deemed to be a contribution by the  
18 business entity. When a business entity is other than a natural  
19 person, a contribution by any person or other business entity having  
20 an interest therein shall be deemed to be a contribution by the  
21 business entity. A contribution by any political committee or  
22 continuing political committee that has as its members the  
23 employees of a business entity and that is funded, directed, and  
24 administered in its entirety by such employees shall not be  
25 considered a contribution by the business entity.

26 (cf: P.L.2004, c.19, s.5)

27

28 17. Section 6 of P.L.2004, c.19 (C.19:44A-20.7) is amended to  
29 read as follows:

30 6. As used in sections 2 through 12 of **[this act]** P.L.2004, c.19  
31 (C.19:44A-20.3 et seq.) and sections 10, 14, 15, and 29 of P.L. ,  
32 c. (C. ) (pending before the Legislature as this bill):

33 "business entity" means any natural or legal person, business  
34 corporation, professional services corporation, limited liability  
35 company, partnership, limited partnership, business trust,  
36 association or any other legal commercial entity organized under  
37 the laws of this State or of any other state or foreign jurisdiction;

38 "contribution" means more than \$3,000 when a contract is one  
39 that is awarded after public advertisement for bids and bidding  
40 therefor, and more than \$1,000 for all other contracts;

41 "interest" means the ownership or control of more than 10% of  
42 the profits or assets of a business entity or 10% of the stock in the  
43 case of a business entity that is a corporation for profit, as  
44 appropriate;

45 "fair and open process" means, at a minimum, that the contract  
46 shall be: publicly advertised in newspapers or on the Internet  
47 website maintained by the public entity in sufficient time to give  
48 notice in advance of the contract; awarded under a process that

1 provides for public solicitation of proposals or qualifications and  
2 awarded and disclosed under criteria established in writing by the  
3 public entity prior to the solicitation of proposals or qualifications;  
4 and publicly opened and announced when awarded. The decision of  
5 a public entity as to what constitutes a fair and open process shall  
6 be final~~].~~;

7 "State agency in the Executive Branch" means any of the principal  
8 departments in the Executive Branch of the State Government, and any  
9 division, board, bureau, office, commission or other instrumentality  
10 within or created by such department and any independent State  
11 authority, board, commission, instrumentality, or agency; and

12 "State agency in the Legislative Branch" means the Legislature  
13 of the State and any office, board, bureau or commission within or  
14 created by the Legislative Branch.

15 (cf: P.L.2005, c.51, s.14)

16  
17 18. Section 7 of P.L.2004, c.19 (C.19:44A-20.8) is amended to  
18 read as follows:

19 7. a. Prior to awarding any contract, ~~except a contract that is~~  
20 ~~awarded pursuant to a fair and open process,~~ a State agency in the  
21 Executive Branch or Legislative Branch, or a county, or a  
22 municipality, a local board of education, or a fire district shall  
23 require the business entity to which the contract is to be awarded to  
24 provide a written certification that it has not made a contribution  
25 that would bar the award of a contract ~~pursuant to this act~~.

26 b. A business entity shall have a continuing duty to report to  
27 the Election Law Enforcement Commission any contributions that  
28 constitute a violation ~~of this act~~ that are made during the duration  
29 of a contract.

30 (cf: P.L.2005, c.51, s.15)

31  
32 19. Section 9 of P.L.2004, c.19 (C.19:44A-20.10) is amended to  
33 read as follows:

34 9. A business entity which is determined by the Election Law  
35 Enforcement Commission to have willfully and intentionally made  
36 a contribution or failed to reveal a contribution in violation of ~~this~~  
37 ~~act~~ sections 2 through 4, inclusive, of P.L.2004, c.19 (C.19:44A-  
38 20.3 et seq.), and sections 10, 14, and 15 of P.L. , c. (C. )  
39 (pending before the Legislature as this bill) may be liable to a  
40 penalty of up to the value of its contract with the public entity and  
41 may be debarred by the State Treasurer from contracting with any  
42 public entity for up to five years.

43 (cf: P.L.2004, c.19, s.9)

44  
45 20. Section 10 of P.L.2004, c.19 (C.19:44A-20.11) is amended  
46 to read as follows:

1        10. Any person who is determined by the Election Law  
2 Enforcement Commission to have willfully and intentionally  
3 accepted a contribution in violation of the provisions of sections  
4 **11** 2 through 4, inclusive, of [this act] P.L.2004, c.19 (C.19:44A-  
5 20.3 et seq.), and sections 10, 14, and 15 of P.L. , c. (C. )  
6 (pending before the Legislature as this bill), shall be liable to a  
7 penalty for each such violation equal to the penalties set forth in  
8 subsection e. of section 22 of P.L.1973, c.83 (C.19:44A-22).  
9 (cf: P.L.2004, c.19, s.10)

10  
11        21. (New section) The provisions of sections 2 through 4,  
12 inclusive, of P.L.2004, c.19 (C.19:44A-20.3 et seq.), and sections  
13 10, 14, and 15 of P.L. , c. (C. ) (pending before the  
14 Legislature as this bill), shall not: (1) apply in circumstances when  
15 it is determined by the federal government or a court of competent  
16 jurisdiction that its application would violate federal law or  
17 regulation; or (2) prevent the State, its executive departments,  
18 agencies or independent authorities from complying with all of the  
19 requirements, conditions and obligations of the "Eminent Domain  
20 Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.).

21  
22        22. Section 2 of P.L.2005, c.271 (C.19:44A-20.26) is amended  
23 to read as follows:

24        2. a. Not later than 10 days prior to entering into any contract  
25 having an anticipated value in excess of \$17,500, except for a  
26 contract that is required by law to be publicly advertised for bids, a  
27 State agency, county, municipality, independent authority, board of  
28 education, or fire district shall require any business entity bidding  
29 thereon or negotiating therefor, to submit along with its bid or price  
30 quote, a list of political contributions as set forth in this subsection  
31 that are reportable by the recipient pursuant to the provisions of  
32 P.L.1973, c.83 (C.19:44A-1 et al.) and that were made by the  
33 business entity during the preceding 12-month period, along with  
34 the date and amount of each contribution and the name of the  
35 recipient of each contribution. A business entity contracting with a  
36 State agency shall disclose contributions to any State, county, or  
37 municipal committee of a political party, legislative leadership  
38 committee, candidate committee of a candidate for, or holder of, a  
39 State elective office, or any continuing political committee. A  
40 business entity contracting with a county, municipality, independent  
41 authority, other than an independent authority that is a State agency,  
42 board of education, or fire district shall disclose contributions to:  
43 any State, county, or municipal committee of a political party; any  
44 legislative leadership committee; or any candidate committee of a  
45 candidate for, or holder of, an elective office of that public entity,  
46 of that county in which that public entity is located, of another  
47 public entity within that county, or of a legislative district in which  
48 that public entity is located or, when the public entity is a county, of

1 any legislative district which includes all or part of the county, or  
2 any continuing political committee.

3 The provisions of this section shall not apply to a contract when  
4 a public emergency requires the immediate delivery of goods or  
5 services.

6 b. When a business entity is a natural person, a contribution by  
7 that person's spouse, domestic partner, civil union partner, or child,  
8 residing therewith, shall be deemed to be a contribution by the  
9 business entity. When a business entity is other than a natural  
10 person, a contribution by any person or other business entity having  
11 an interest therein shall be deemed to be a contribution by the  
12 business entity. When a business entity is other than a natural  
13 person, a contribution by: all principals, partners, officers, or  
14 directors of the business entity or their spouses; any subsidiaries  
15 directly or indirectly controlled by the business entity; or any  
16 political organization organized under section 527 of the Internal  
17 Revenue Code that is directly or indirectly controlled by the  
18 business entity, other than a candidate committee, election fund, or  
19 political party committee, shall be deemed to be a contribution by  
20 the business entity. A contribution by any political committee or  
21 continuing political committee that has as its members the  
22 employees of a business entity and that is funded, directed, and  
23 administered in its entirety by such employees shall not be  
24 considered a contribution by the business entity.

25 c. As used in this section:

26 "business entity" means a for-profit entity that is a natural or  
27 legal person, business corporation, professional services  
28 corporation, limited liability company, partnership, limited  
29 partnership, business trust, association or any other legal  
30 commercial entity organized under the laws of this State or of any  
31 other state or foreign jurisdiction;

32 "interest" means the ownership or control of more than 10% of  
33 the profits or assets of a business entity or 10% of the stock in the  
34 case of a business entity that is a corporation for profit, as  
35 appropriate; and

36 "State agency" means any of the principal departments in the  
37 Executive Branch of the State Government, and any division, board,  
38 bureau, office, commission or other instrumentality within or  
39 created by such department, the Legislature of the State and any  
40 office, board, bureau or commission within or created by the  
41 Legislative Branch, and any independent State authority,  
42 commission, instrumentality or agency.

43 d. Any business entity that fails to comply with the provisions  
44 of this section shall be subject to a fine imposed by the New Jersey  
45 Election Law Enforcement Commission in an amount to be  
46 determined by the commission which may be based upon the  
47 amount that the business entity failed to report.

48 (cf: P.L.2007, c.304, s.1)

1       23. Section 3 of P.L.2005, c.271 (C.19:44A-20.27) is amended  
2 to read as follows:

3       3. a. Any business entity making a contribution of money or  
4 any other thing of value, including an in-kind contribution, or  
5 pledge to make a contribution of any kind to a candidate for or the  
6 holder of any public office having ultimate responsibility for the  
7 awarding of public contracts, or to a political party committee,  
8 legislative leadership committee, political committee or continuing  
9 political committee, which has received in any calendar year  
10 ~~【\$50,000】~~ \$17,500 or more in the aggregate through agreements or  
11 contracts with a single public entity, shall file an annual disclosure  
12 statement with the New Jersey Election Law Enforcement  
13 Commission, established pursuant to section 5 of P.L.1973, c.83  
14 (C.19:44A-5), setting forth all such contributions made by the  
15 business entity during the 12 months prior to the reporting deadline.

16       b. The commission shall prescribe forms and procedures for the  
17 reporting required in subsection a. of this section which shall  
18 include, but not be limited to:

19       (1) the name and mailing address of the business entity making  
20 the contribution, and the amount contributed during the 12 months  
21 prior to the reporting deadline;

22       (2) the name of the candidate for or the holder of any public  
23 office having ultimate responsibility for the awarding of public  
24 contracts, candidate committee, joint candidates committee,  
25 political party committee, legislative leadership committee, political  
26 committee or continuing political committee receiving the  
27 contribution; and

28       (3) the amount of money the business entity received from the  
29 public entity through contract or agreement, the dates, and  
30 information identifying each contract or agreement and describing  
31 the goods, services or equipment provided or property sold.

32       No report required to be filed pursuant to this subsection shall  
33 include proprietary information from the holder of the public  
34 contract.

35       c. The commission shall maintain a list of such reports for  
36 public inspection both at its office and through its Internet site.

37       d. When a business entity is a natural person, a contribution by  
38 that person's spouse, domestic partner, civil union partner, or child,  
39 residing therewith, shall be deemed to be a contribution by the  
40 business entity. When a business entity is other than a natural  
41 person, a contribution by any person or other business entity having  
42 an interest therein shall be deemed to be a contribution by the  
43 business entity. When a business entity is other than a natural  
44 person, a contribution by: all principals, partners, officers, or  
45 directors of the business entity, or their spouses; any subsidiaries  
46 directly or indirectly controlled by the business entity; or any  
47 political organization organized under section 527 of the Internal  
48 Revenue Code that is directly or indirectly controlled by the

1 business entity, other than a candidate committee, election fund, or  
2 political party committee, shall be deemed to be a contribution by  
3 the business entity. A contribution by any political committee or  
4 continuing political committee that has as its members the  
5 employees of a business entity and that is funded, directed, and  
6 administered in its entirety by such employees shall not be  
7 considered a contribution by the business entity.

8 e. As used in this section:

9 "business entity" means a for-profit entity that is a natural or  
10 legal person, business corporation, professional services  
11 corporation, limited liability company, partnership, limited  
12 partnership, business trust, association or any other legal  
13 commercial entity organized under the laws of this State or of any  
14 other state or foreign jurisdiction; and

15 "interest" means the ownership or control of more than 10% of  
16 the profits or assets of a business entity or 10% of the stock in the  
17 case of a business entity that is a corporation for profit, as  
18 appropriate.

19 **[e.]** f. Any business entity that fails to comply with the  
20 provisions of this section shall be subject to a fine imposed by the  
21 New Jersey Election Law Enforcement Commission in an amount to  
22 be determined by the commission which may be based upon the  
23 amount that the business entity failed to report.

24 g. The commission shall have the authority to determine if the  
25 sale of subscription or recurring services, such as for  
26 telecommunications, electricity, or natural gas services, to a county  
27 or municipal government, or an agency, authority, or  
28 instrumentality thereof, that does not exceed \$17,500 in any  
29 calendar year shall be included in the disclosure requirement  
30 provided for by this section.

31 (cf: P.L.2007, c.304, s.2)

32  
33 24. (New section) The commission shall permit any entity  
34 required to file a report, certification, or statement therewith  
35 pursuant to P.L.2004, c.19 (C.19:44A-20.3 et seq.), P.L.2005, c.271  
36 (C.19:44A-20.26 et al.), or sections 10, 14, and 15 of P.L. ,  
37 c. (C. ) (pending before the Legislature as this bill) to file  
38 such a report, certification, or statement via the Internet beginning  
39 on the 180th day following the enactment date of P.L. ,c. (pending  
40 before the Legislature as this bill).

41  
42 25. (New section) A county, municipality, local board of  
43 education, or board of commissioners of a fire district, or any agency  
44 or instrumentality thereof, shall not adopt any ordinance, resolution, or  
45 regulation that limits the awarding of public contracts to business  
46 entities based on contributions made pursuant to P.L.1973, c.83  
47 (C.19:44A-1 et seq.), or that limits the contributions that business  
48 entities awarded a contract can make during the term of the contract.

1 The provisions of P.L.2004, c.19 (C.19:44A-20.3 et seq.) and sections  
2 14, 15, 21 and 29 of P.L. , c. (C. ) (pending before the  
3 Legislature as this bill) shall supersede and preempt any such  
4 ordinance, resolution, or regulation. Any such ordinance, resolution, or  
5 regulation in effect on the effective date of this section as specified in  
6 section 33 of P.L. , c. (pending before the Legislature as this bill)  
7 shall be null and void.

8  
9 26. (New section) a. (1) Each business entity shall disclose to  
10 the State Treasurer information on, and provide a copy of, each  
11 contract between the business entity and a State agency for which  
12 the value exceeds \$17,500 as determined in advance and certified  
13 in writing by the State agency. The information regarding the  
14 contract and the copy thereof shall be transmitted by the business  
15 entity to the State Treasurer within 14 days after the contract is  
16 agreed to and finalized.

17 (2) the information provided on each contract shall include: (a)  
18 the name and mailing address of the business entity holding the  
19 contract; (b) the name of the business entity's president, chief  
20 executive officer, or chief operating officer, or the person holding a  
21 substantially similar position; (c) the nature of the goods,  
22 equipment, or services being provided, or transaction undertaken,  
23 and the duration of the contract; and (d) the total amount of money  
24 that the business entity has or will receive from the State agency as  
25 a result of the contract.

26 b. Each business entity shall have a continuing obligation to  
27 provide the State Treasurer with such information as may be  
28 necessary to keep information about the terms of the contract  
29 current, including information in whether a contract is renewed or  
30 continued for any reason.

31 A business entity which is determined by the State Treasurer to  
32 have willfully and intentionally failed to make the disclosure  
33 required under this section may be debarred by the State Treasurer  
34 from contracting with any public entity for up to two years.

35 c. (1) The State Treasurer, in consultation with the Chief  
36 Technology Officer, shall develop, maintain, and operate a single,  
37 unified, searchable database that has the capacity to retain and  
38 display information relating to, and a copy of, each contract for  
39 which the value exceeds \$17,500 between a business entity and a  
40 State agency, county, municipality, fire district, or school board, or  
41 an agency, authority or instrumentality thereof,.

42 (2) The information in the database shall be organized into a  
43 website that is: (a) given a prominent place on the website of the  
44 Department of the Treasury and easy to navigate; (b) available to  
45 the public permanently and without charge for access; (c) organized  
46 chronologically by the fiscal year for each public entity; and (d)  
47 easily updated by the State Treasurer, the Commissioner of the



1 Department of Community Affairs, and the Commissioner of the  
2 Department of Education, as may be appropriate.

3 (3) The database required by this section shall include the  
4 information on contracts between a State agency and a business  
5 entity required to be disclosed pursuant to paragraph (1) of section  
6 a. of this section; the information on contracts between a county or  
7 municipal government, fire district, or an agency, authority or  
8 instrumentality thereof, and a business entity required to be  
9 disclosed pursuant to paragraph (1) subsection a. of section 27 of  
10 P.L. , c. (C. )(pending before the Legislature as this bill);  
11 and the information on contracts between a school board, or an  
12 agency or instrumentality thereof, and a business entity required to  
13 be disclosed pursuant to paragraph (1) of section a. of section 28 of  
14 P.L. , c. (C. )(pending before the Legislature as this bill).

15 The websites of the Departments of Community Affairs and  
16 Education shall include clear, readily available, and easy to  
17 navigate links to the website and database maintained by the  
18 Treasurer, as required by this section.

19 d. As used in this section,

20 "business entity" means an entity that is a natural or legal person,  
21 business corporation, professional services corporation, limited  
22 liability company, partnership, limited partnership, business trust,  
23 association or any other legal commercial entity organized under  
24 the laws of this State or of any other state or foreign jurisdiction,  
25 and

26 "State agency" means any of the principal departments in the  
27 Executive Branch of the State Government, and any division, board,  
28 bureau, office, commission or other instrumentality within or  
29 created by such department; the Legislature of the State and any  
30 office, board, bureau or commission within or created by the  
31 Legislative Branch; and any independent State authority,  
32 commission, instrumentality or agency, including any public  
33 institution of higher education in this State.

34

35 27. (New section) a. (1) Each business entity shall disclose to  
36 the Commissioner of the Department of Community Affairs  
37 information on, and provide a copy of, each contract between the  
38 business entity and a county or municipal government, or fire  
39 district, or an agency, authority or instrumentality thereof including  
40 a county college, for which the value exceeds \$17,500 as  
41 determined in advance and certified in writing by the public entity.  
42 The information regarding the contract and the copy thereof shall be  
43 transmitted by each business entity to the commissioner within 14  
44 days after the contract is agreed to and finalized.

45 (2) The information provided on each contract shall include: (a)  
46 the name and mailing address of the business entity holding the  
47 contract; (b) the name of the business entity's president, chief  
48 executive officer, chief operating officer, or the person holding a

1 substantially similar position; (c) the nature of the goods, equipment  
2 or services being provided, or the transaction undertaken, and the  
3 duration of the contract; and (d) the total amount of money that the  
4 business entity has or will receive from the public entity as a result  
5 of the contract.

6 b. Each business entity shall have a continuing obligation to  
7 provide the commissioner with such information as may be  
8 necessary to keep information about the terms of the contract  
9 current, including information on whether a contract is renewed or  
10 continued for any reason.

11 A business entity which is determined by the Commissioner of  
12 the Department of Community Affairs to have willfully and  
13 intentionally failed to make the disclosure required under this  
14 section may be debarred by the State Treasurer from contracting  
15 with any public entity for up to two years.

16 c. The commissioner shall provide to the State Treasurer the  
17 information required pursuant to paragraph (1) of subsection a. of  
18 this section so that any person searching for information about a  
19 contract having a value that exceeds \$17,500 between a business  
20 entity and a county or municipal government, or fire district, or an  
21 agency, authority or instrumentality thereof including a county  
22 college, can locate the information relative thereto on the website  
23 maintained by the State Treasurer pursuant to section 26 of P.L. ,  
24 c. (C. ) (pending before the Legislature as this bill).

25 d. As used in this section, "business entity" means an entity that  
26 is a natural or legal person, business corporation, professional  
27 services corporation, limited liability company, partnership, limited  
28 partnership, business trust, association or any other legal  
29 commercial entity organized under the laws of this State or of any  
30 other state or foreign jurisdiction.

31  
32 28. (New section) a. (1) Each business entity shall disclose to  
33 the Commissioner of the Department of Education information on,  
34 and provide a copy of, each contract between the business entity  
35 and a school board, or an agency or instrumentality thereof, for  
36 which the value exceeds \$17,500 as determined in advance and  
37 certified in writing by the board, agency, or instrumentality. The  
38 information regarding the contract and the copy thereof shall be  
39 transmitted by the business entity to the commissioner within 14  
40 days after the contract is agreed to and finalized.

41 (2) The information provided on each contract shall include: (a)  
42 the name and mailing address of the business entity holding the  
43 contract; (b) the name of the business entity's president, chief  
44 executive officer, chief operating officer, or the person holding a  
45 substantially similar position; (c) the nature of the goods, equipment  
46 or services being provided, or transaction undertaken, and the  
47 duration of the contract; and (d) the total amount of money that the

1 business entity has or will receive from the board, agency, or  
2 instrumentality as a result of the contract.

3 b. Each business entity shall have a continuing obligation to  
4 provide the commissioner with such information as may be  
5 necessary to keep information about the terms of the contract  
6 current, including information on whether a contract is renewed or  
7 continued for any reason.

8 A business entity which is determined by the Commissioner of  
9 the Department of Education to have willfully and intentionally  
10 failed to make the disclosure required under this section may be  
11 debarred by the State Treasurer from contracting with any public  
12 entity for up to two years.

13 c. The commissioner shall provide to the State Treasurer the  
14 information required pursuant to paragraph (1) of subsection a. of  
15 this section so that any person searching for information about a  
16 contract having a value that exceeds \$17,500 between a business  
17 entity and a board, agency, or instrumentality can locate the  
18 information relative thereto on the website established and  
19 maintained by the State Treasurer pursuant to section 26 of P.L. ,  
20 c. (C. ) (pending before the Legislature as this bill).

21 d. As used in this section, "business entity" means an entity  
22 that is a natural or legal person, business corporation, professional  
23 services corporation, limited liability company, partnership, limited  
24 partnership, business trust, association or any other legal  
25 commercial entity organized under the laws of this State or of any  
26 other state or foreign jurisdiction.

27  
28 29. (New section) The provisions of sections 2 through 4,  
29 inclusive, of P.L.2004, c.19 (C.19:44A-20.3 et seq.), sections 10,  
30 14, 15, and 21 of P.L. , c. (C. ) (pending before the  
31 Legislature as this bill), sections 2 and 3 of P.L.2005, c.271  
32 (C.19:44A-20.26 and 19:44A-20.27), shall not apply to, nor shall  
33 there be substantially similar restrictions imposed on, a redeveloper  
34 that enters into a redevelopment agreement with the State.

35 As used in this section,

36 "redeveloper" means any business entity that enters into or  
37 proposes to enter into a redevelopment agreement, and includes (1)  
38 a subsidiary business entity directly or indirectly controlled by the  
39 redeveloper; and (2) a business entity that contracts with the  
40 redeveloper to perform professional, consulting, or lobbying  
41 services in connection with the redevelopment project; and

42 "redevelopment agreement" means an agreement or contract with  
43 a State redevelopment entity for the redevelopment or rehabilitation  
44 of an area in need of redevelopment, or an area in need of  
45 rehabilitation, or any part thereof, or other work forming a part of a  
46 redevelopment or rehabilitation project.

47 Executive Order No. 118 of 2008 is hereby superseded.

1       30. Section 22 of P.L.1993, c.65 (C.19:44A-7.2) is amended to  
2 read as follows:

3       22. a. Not later than December 1 of each year preceding any  
4 year in which a general election is to be held to fill the offices of  
5 Governor and Lieutenant Governor for a four-year term, the  
6 Election Law Enforcement Commission shall adjust the amounts,  
7 set forth in subsection b. of this section, which shall be applicable  
8 under P.L.1973, c.83 (C.19:44A-1 et al.) to primary and general  
9 elections for any public office other than the offices of Governor  
10 and Lieutenant Governor at a percentage which shall be the same as  
11 the percentage of change that the commission applies to the  
12 amounts used for the primary election for the office of Governor  
13 and the general election for the offices of Governor and Lieutenant  
14 Governor held in the third year preceding the year in which that  
15 December 1 occurs, pursuant to section 19 of P.L.1980, c.74  
16 (C.19:44A-7.1), and any amount so adjusted shall be rounded in the  
17 same manner as provided in that section.

18       b. The amounts subject to adjustment as provided under this  
19 section shall be:

20       (1) **【the minimum amount raised or expended by any two or**  
21 **more persons acting jointly who qualify as a political committee**  
22 **and the minimum amount contributed or expected to be contributed**  
23 **in any calendar year by any group of two or more persons acting**  
24 **jointly who qualify as a continuing political committee as defined in**  
25 **section 3 of P.L.1973, c.83 (C.19:44A-3)】** (Deleted by amendment,  
26 P.L. , c. )(pending before the Legislature as this bill);

27       (2) (Deleted by amendment, P.L.2004, c.28);

28       (3) **【the minimum amount of a contribution to a political**  
29 **committee, continuing political committee, legislative leadership**  
30 **committee or a political party committee received during the period**  
31 **between the 13th day prior to the election and the date of the**  
32 **election, the minimum amount of an expenditure by a political**  
33 **committee during that period, and the minimum amount of an**  
34 **expenditure by a continuing political committee during the period**  
35 **beginning after March 31 and ending on the date of the primary**  
36 **election and the period beginning after September 30 and ending on**  
37 **the date of the general election which triggers an obligation to**  
38 **report that contribution to the commission pursuant to section 8 of**  
39 **P.L.1973, c.83 (C.19:44A-8), and the minimum amount of a**  
40 **contribution to a candidate, candidate committee or joint candidates**  
41 **committee received during the period between the 13th day prior to**  
42 **the election and the date of the election which triggers an obligation**  
43 **to report that contribution to the commission pursuant to section 16**  
44 **of P.L.1973, c.83 (C.19:44A-16)】;**

45       (4) the maximum amount which may be expended by the  
46 campaign organizations of two or more candidates forming a joint  
47 candidates committee without being required to file contribution  
48 reports, pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8);

1 (5) the maximum amount that a person, not acting in concert  
2 with any other person or group, may spend to support or defeat a  
3 candidate or to aid the passage or defeat of a public question  
4 without being required to report all such expenditures and expenses  
5 to the commission pursuant to section 11 of P.L.1973, c.83  
6 (C.19:44A-11) and the maximum amount that a person, not acting  
7 in concert with any other person or group, may raise through a  
8 public solicitation and expend to finance any lawful activity in  
9 support of or in opposition to any candidate or public question or to  
10 seek to influence the content, introduction, passage or defeat of  
11 legislation pursuant to section 19 of P.L.1973, c.83 (C.19:44A-19);

12 (6) **the maximum amount that may be expended, in the**  
13 **aggregate, on behalf of a candidate without requiring that candidate**  
14 **to file contribution reports with the commission and the maximum**  
15 **amount that may be expended, in the aggregate, on behalf of a**  
16 **candidate seeking election to a public office of a school district,**  
17 **without requiring that candidate to file contribution reports with the**  
18 **commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-**  
19 **16)] Deleted by amendment, P.L. , c. )(pending before the**  
20 **Legislature as this bill**);

21 (7) the maximum amount of penalty which may be imposed by  
22 the commission on any person who fails to comply with the  
23 regulatory provisions of P.L.1973, c.83 (C.19:44A-1 et al.) for a  
24 first offense or a second and subsequent offenses, pursuant to  
25 section 22 of P.L.1973, c.83 (C.19:44A-22);

26 (8) the maximum amount of penalty which may be imposed by  
27 the commission on any corporation or labor organization which  
28 provides any of its employees any additional increment of salary for  
29 the express purpose of making a contribution to a candidate,  
30 candidate committee, joint candidates committee, political party  
31 committee, legislative leadership committee, political committee or  
32 continuing political committee for a first or a second and  
33 subsequent offenses, pursuant to section 15 of P.L.1993, c.65  
34 (C.19:44A-20.1);

35 (9) (Deleted by amendment, P.L.2004, c.174);

36 (10) (Deleted by amendment, P.L.2004, c.174);

37 (11) (Deleted by amendment, P.L.2004, c.174);

38 (12) the amount of filing fees which may be collected from a  
39 candidate committee, a joint candidates committee, a continuing  
40 political committee, a political party committee, a legislative  
41 leadership committee, or any other person pursuant to section 6 of  
42 P.L.1973, c.83 (C.19:44A-6) (as that section shall have been  
43 amended by P.L.1983, c.579).

44 c. Not later than December 15 of each year preceding any year  
45 in which a general election is to be held to fill the offices of  
46 Governor and Lieutenant Governor for a four-year term, the  
47 commission shall report to the Legislature and make public its  
48 adjustment of limits in accordance with the provisions of this

1 section. Whenever, following the transmittal of that report, the  
2 commission shall have notice that a person has declared as a  
3 candidate for nomination for election or for election to any public  
4 office in a forthcoming primary or general election, it shall  
5 promptly notify that candidate of the amounts of those adjusted  
6 limits.

7 (cf: P.L.2009, c.66, s.9)

8  
9 31. Section 2 of P.L.2004, c.174 (C.19:44A-7.3) is amended to  
10 read as follows:

11 2. a. No later than July 1 of each year preceding any year in  
12 which a general election is to be held to fill the offices of Governor  
13 and Lieutenant Governor for a four-year term, the commission shall  
14 issue a report setting forth its recommendations for the adjustment  
15 of the amounts, set forth in subsection b. of this section and  
16 applicable to P.L.1973, c.83 (C.19:44A-1 et seq.), to primary and  
17 general elections for any public office other than the offices of  
18 Governor and Lieutenant Governor, to limitations on contributions  
19 to and from political committees, continuing political committees,  
20 candidate committees, joint candidates committees, political party  
21 committees and legislative leadership committees and to other  
22 amounts, at a percentage which shall be the same as the percentage  
23 of change that the commission applies to the amounts used for the  
24 primary election for the office of Governor and the general election  
25 for the offices of Governor and Lieutenant Governor held in the  
26 third year preceding the year in which that December 1 occurs,  
27 pursuant to section 19 of P.L.1980, c.74 (C.19:44A-7.1). Any  
28 amount so recommended for adjustment shall be rounded in the  
29 same manner as provided in that section.

30 b. The amounts to be recommended for adjustment as provided  
31 under this section shall be:

32 (1) the maximum amount of contributions permitted to be made  
33 by an individual, a corporation or labor organization to a candidate,  
34 candidate committee or joint candidates committee, the maximum  
35 amount of contributions permitted to be made by a political  
36 committee or a continuing political committee to a candidate,  
37 candidate committee or joint candidates committee other than the  
38 committee of a candidate for nomination for the office of Governor  
39 or the committee of candidates for election to the offices of  
40 Governor and Lieutenant Governor and the maximum amount of  
41 contributions permitted to be made by one candidate, candidate  
42 committee or joint candidates committee, other than the committee  
43 of a candidate for nomination for the office of Governor or the  
44 committee for election to the offices of Governor and Lieutenant  
45 Governor, to another candidate, candidate committee or joint  
46 candidates committee other than the committee of a candidate for  
47 nomination for the office of Governor or the committee for election

1 to the offices of Governor and Lieutenant Governor pursuant to  
2 section 18 of P.L.1993, c.65 (C.19:44A-11.3);

3 (2) the maximum amount of contributions permitted to be made  
4 by an individual, corporation, labor organization, political  
5 committee, continuing political committee, candidate committee or  
6 joint candidates committee or any other group to any political party  
7 committee or any legislative leadership committee pursuant to  
8 section 19 of P.L.1993, c.65 (C.19:44A-11.4); **[and]**

9 (3) the maximum amount of contributions permitted to be made  
10 by a candidate, candidate committee or joint candidates committee  
11 to a political committee or a continuing political committee and the  
12 maximum amount of contributions permitted to be made by one  
13 political committee or continuing political committee to another  
14 political committee or continuing political committee pursuant to  
15 section 20 of P.L.1993, c.65 (C.19:44A-11.5);

16 (4) the minimum amount raised or expended by any two or more  
17 persons acting jointly who qualify as a political committee and the  
18 minimum amount contributed or expected to be contributed in any  
19 calendar year by any group of two or more persons acting jointly  
20 who qualify as a continuing political committee as defined in  
21 section 3 of P.L.1973, c.83 (C.19:44A-3);

22 (5) the minimum amount of a contribution to a political  
23 committee, continuing political committee, legislative leadership  
24 committee or a political party committee received during the period  
25 between the 13th day prior to the election and the date of the  
26 election which triggers an obligation to report, the minimum  
27 amount of an expenditure by a political committee during that  
28 period, and the minimum amount of an expenditure by a continuing  
29 political committee during the period beginning after March 31 and  
30 ending on the date of the primary election and the period beginning  
31 after September 30 and ending on the date of the general election  
32 which triggers an obligation to report that contribution to the  
33 commission pursuant to section 8 of P.L.1973, c.83 (C.19:44A-8),  
34 and the minimum amount of a contribution to a candidate, candidate  
35 committee or joint candidates committee received during the period  
36 between the 13th day prior to the election and the date of the  
37 election which triggers an obligation to report that contribution to  
38 the commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-  
39 16); and

40 (6) the maximum amount that may be expended, in the  
41 aggregate, on behalf of a candidate without requiring that candidate  
42 to file contribution reports with the commission and the maximum  
43 amount that may be expended, in the aggregate, on behalf of a  
44 candidate seeking election to a public office of a school district,  
45 without requiring that candidate to file contribution reports with the  
46 commission pursuant to section 16 of P.L.1973, c.83 (C.19:44A-  
47 16).

1 c. No later than July 15 of each year preceding any year in  
2 which a general election is to be held to fill the offices of Governor  
3 and Lieutenant Governor for a four-year term, the commission shall  
4 transmit a copy of its report to each member of the Legislature and  
5 make public its recommended adjustment of limits pursuant to this  
6 section. The Legislature shall have the option of adopting all or  
7 part of the recommended adjustments by the passage of appropriate  
8 legislation.

9 (cf: P.L.2009, c.66, s.10)

10  
11 32. a. Section 6 of P.L.2003, c.24 (C.48:3-93.3), sections 1  
12 through 13, inclusive of P.L.2005, c.51 (C.19:44A-20.13 et seq.),  
13 and section 1 of P.L.2005, c.271 (C.40A:11-51) are repealed.

14 b. Executive Order No. 117 of 2008 is hereby superseded.

15  
16 33. This act shall take effect on January 1 next following the  
17 date of enactment, except as otherwise specified by a provision of  
18 the bill, and except that: sections 26, 27, and 28 shall take effect on  
19 the first day of the seventh month following enactment; and  
20 sections 10 through 23, inclusive, and sections 25, 29, and 32 shall  
21 take effect on the first day of the thirteenth month following  
22 enactment. Public entities may take such anticipatory  
23 administrative action in advance of the effective date as may be  
24 necessary for the implementation of the act.

## 25 26 27 STATEMENT

28  
29 This bill makes various changes to the "The New Jersey  
30 Campaign Contributions and Expenditures Reporting Act"  
31 concerning campaign contribution limits, expenditures, and  
32 reporting requirements, and modifies the current law regulating the  
33 awarding of public contracts to business entities that make  
34 campaign contributions, commonly referred to as the "pay to play"  
35 law. The bill also requires the creation and maintenance of a  
36 searchable unified database, available to the public on the Internet,  
37 of all public contracts awarded by government entities in this State.

38 Specifically, the bill would require disclosure by any  
39 organization organized under section 527, or under paragraph (4) of  
40 subsection c. of section 501, of the federal Internal Revenue Code  
41 that engages in influencing or attempting to influence the outcome  
42 of any election or the selection, nomination, or election of any  
43 person to any State or local elective public office or the passage or  
44 defeat of any public question, or in providing political information  
45 on any candidate or public question, and raises or expends \$3,000  
46 or more for any such purpose. It would require these organizations  
47 to report contribution and expenditure information to Election Law  
48 Enforcement Commission (ELEC) and to include certain



1 information that identifies the organization on any communication  
2 paid for by the organization which attempts to influence a candidate  
3 election or the adoption or defeat of a public question, or which  
4 provides political information. The bill would prohibit a candidate  
5 from establishing, authorizing the establishment of, maintaining, or  
6 participating directly or indirectly in the management or control of,  
7 any issue advocacy organization.

8 With regard to the current “pay to play” law, the bill would:

9 1) create one uniform law applicable at all levels of government,  
10 including the Executive Branch, State authorities, Legislative  
11 Branch, counties, municipalities, local boards of education, and fire  
12 districts, to the awarding of public contracts to business entities that  
13 have made campaign contributions;

14 2) eliminate provisions of existing law that exclude contracts  
15 awarded pursuant to a “fair and open process” from “pay-to-play”  
16 proscriptions and provide instead that only contracts that are valued  
17 at \$17,500 or less will be excluded;

18 3) modify the law so that a business entity’s contributions to a  
19 political party committee at that level of government where a  
20 contract is awarded would not be considered, in determining if a  
21 contract may be awarded, if the contract is awarded pursuant to a  
22 “fair and open process”;

23 4) increase the amount that may be contributed by business  
24 entities from the current \$300 to \$3,000 when a contract is one that  
25 is awarded after public advertisement for bids and bidding therefor,  
26 and \$1,000 for all other contracts without violating the “pay to  
27 play” law;

28 5) provide that contributions by a political committee or  
29 continuing political committee that has as its members the  
30 employees of a business entity and that is funded, directed, and  
31 administered in its entirety by such employees will not be  
32 considered contributions by the business entity;

33 6) require a business to disclose information about public  
34 contracts received, and campaign contributions made, after the  
35 business has received public contracts valued at greater than  
36 \$17,500 from a single public entity, instead of after the business has  
37 received \$50,000 or more in public contracts as provided by current  
38 law, and provide that no report required to be filed can be required  
39 to include proprietary information from the holder of the public  
40 contract;

41 7) permit any entity required to file a report, certification or  
42 statement with ELEC to file such a report, certification, or  
43 statement via the Internet beginning on the 180th day following  
44 enactment of the bill;

45 8) give ELEC the authority to determine if the sale of  
46 subscription or recurring services, such as for telecommunications,  
47 electricity, or natural gas services, to a county or municipal  
48 government, or an agency, authority, or instrumentality thereof, that

1 does not exceed \$17,500 in any calendar year must be included in  
2 the annual disclosure required of business entities;

3 9) provide that the “pay to play” law does not apply to  
4 redevelopers that enter or propose to enter into redevelopment  
5 agreements with a State redevelopment entity, specifically  
6 superseding Executive Order No. 118 of 2008; and

7 10) expressly supersede and preempt local government regulation  
8 of “pay to play” and supersede Executive Order No. 117 of 2008  
9 which imposes additional “pay to play” requirements for State  
10 contracting.

11 As part of these changes for uniformity, the bill repeals sections  
12 of law that currently address “pay to play” in the context of State  
13 Executive Branch contracting and that allow local governments to  
14 adopt their own “pay to play” policies. The bill also repeals a “pay  
15 to play” law, enacted in 2003, specific to energy aggregation  
16 program contracts between a county or municipality and a licensed  
17 electric power supplier, licensed gas supplier, or appliance repair  
18 service provider.

19 In addition, the bill would:

20 1) require that all contributions received by a candidate or a  
21 committee are to be disclosed to ELEC, instead of only  
22 contributions that are in excess of \$300;

23 2) require that all forms and reports that are required to be filed  
24 by a candidate or a committee with ELEC must be filed through the  
25 Internet site of ELEC beginning on the 180th day following  
26 enactment of the bill;

27 3) lower the expenditure threshold for reporting by continuing  
28 political committees from \$4,900 to \$3,000, and increase the  
29 threshold for such reports for political committees from \$2,400 to  
30 \$3,000 and abolish the automatic quadrennial adjustment by ELEC  
31 of those thresholds;

32 4) require candidate committees that at any time receive a  
33 contribution or make an expenditure of more than \$3,000 to file a  
34 report with ELEC within 48 hours of the receipt of the contribution  
35 or the making of the expenditure;

36 5) require political party and legislative leadership committees  
37 and issue advocacy organizations that receive a contribution from  
38 one or more sources of more than \$3,000 in the aggregate to report  
39 such contributions to ELEC within 48 hours of their receipt,  
40 including the date and amount of each contribution, and require  
41 those same committees and organizations that make or authorize  
42 one or more expenditures of money or other thing of value more  
43 than \$3,000 in the aggregate to make similar reports to ELEC and  
44 remove certain requirements to report when a single contribution of  
45 \$500 is made during certain times of the year;

46 6) raise the amount of money that can be contributed by an  
47 individual, a corporation or union, or a group to a candidate

1 committee from \$2,600 per election to \$3,000 per election, as  
2 recommended by ELEC;

3 7) raise the amount of money that can be contributed by a  
4 candidate committee, political committee, or continuing political  
5 committee to a candidate committee from \$8,200 per election to  
6 \$9,200 per election, as recommended by ELEC;

7 8) delete the requirement that a candidate for an office elected by  
8 a municipal or countrywide constituency, or a school district, file a  
9 certified copy of the campaign treasurer's report with the clerk of  
10 the county in which the candidate resides;

11 9) abolish the automatic quadrennial adjustment by ELEC of: a)  
12 the amount of the amount of money that may be expended on behalf  
13 of a candidate without requiring the candidate to file certain  
14 contribution reports with ELEC; b) the minimum amount of a  
15 contribution to a political committee, continuing political  
16 committee, legislative leadership committee or a political party  
17 committee received during the period between the 13th day prior to  
18 the election and the date of the election which triggers an obligation  
19 to report that contribution to the commission; c) the minimum  
20 amount of a contribution to a candidate, candidate committee or  
21 joint candidates committee received during the period between the  
22 13th day prior to the election and the date of the election which  
23 triggers an obligation to report that contribution to the commission;  
24 and d) the minimum amount of expenditure by continuing political  
25 committees during certain periods specified by law which triggers  
26 an obligation to report that expenditure;

27 10) increase from \$500, as provided for by statute, to \$1,500 the  
28 threshold for reporting a contribution received by a candidate  
29 committee or a political committee between 13 days prior to an  
30 election and the day of the election, from \$800, as provided for by  
31 statute, to \$1,500 the threshold for the reporting of expenditures by  
32 a candidate committee during the same period, and from \$500, as  
33 provided for by statute, to \$1,500 the threshold for the reporting of  
34 expenditures by political committees between 13 days prior to an  
35 election and the day of the election;

36 11) increase from \$500, as provided for by statute, to \$1,500 the  
37 threshold for reporting a contribution received by a continuing  
38 political committee during the period specified by law, and from  
39 \$500, as provided for by statute, to \$1,500 the threshold for the  
40 reporting of expenditures during the same period; and

41 12) require the timely and detailed reporting by business entities  
42 of information, with a copy, about any public contract with a value  
43 of more than \$17,500 between the business entity and a State  
44 agency, county, municipality, fire district, or school board, or an  
45 agency, authority, or instrumentality thereof, to be made available  
46 to the public on the Internet through a searchable unified database  
47 developed and maintained by the State Treasurer, with links to the  
48 database from the website of the Department of Community Affairs

- 1 and the Department of Education and with failure to disclose
- 2 subjecting the business entity to being barred from all public
- 3 contracts for a period of up to two years.